



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

March 26, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**PROJECT NO. R2011-01892-(1)
APPEAL OF
CONDITIONAL USE PERMIT NO. 201100162
APPLICANT: GARFIELD BEACH CVS LLC
858 NORTH SUNSET AVENUE
LA PUENTE, CA 91744
PUENTE ZONED DISTRICT
FIRST SUPERVISORAL DISTRICT (3 VOTES)**

SUBJECT

Appeal of Conditional Use Permit (CUP) to authorize the continued sale of alcoholic beverages for off-site consumption and a request to change the license type from a Type 20 (Off-Sale Beer and Wine) to a Type 21 (Off-Sale General) at an existing CVS store located at 858 North Sunset Avenue within the unincorporated community of West Puente Valley in the C-2-DP (Neighborhood Business Development Program) Zone.

IT IS RECOMMENDED THAT YOUR BOARD, AFTER THE PUBLIC HEARING:

1. Consider the Categorical Exemption for this project and certify that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. Instruct County Counsel to prepare the necessary findings to affirm the Commission's approval of CUP No. 201100162.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The subject property is currently zoned C-2-DP (Neighborhood Business, Development Program) zone. The sale of alcoholic beverages is subject to a CUP approval in the C-2 zone. CUP No 01-194 authorized the construction, operation, and maintenance of a CVS Pharmacy and the sale of beer and wine for off-site consumption on March 13, 2002, a 10 year grant term. The subject site has been operating as a CVS Pharmacy retail store, in conjunction with the sale of beer and wine, for eleven years and there are no outstanding violations on the subject property at this time. The applicant requests a CUP to authorize the continued sale of beer and wine for off-site consumption at the existing CVS store. The applicant also requests to change the type of alcoholic beverages to be sold, by changing the license from Type 20 (Off-Sale Beer and Wine) to Type 21(Off-Sale Beer and Wine and Alcohol).

The subject property is located in census Tract No. 4073.02. Currently, there is one business selling alcoholic beverages with Type 20 license in the subject census tract and three licenses are "allowed" according to the California Department of Alcoholic Beverage Control (ABC) formulas. Regardless of ABC report, there are one liquor store and one 7-Eleven store selling alcoholic beverages, respectively with a license Type 21 and Type 20, within a 500-foot radius in a different census tract. Therefore, an undue concentration exists and a letter of public necessity or convenience is necessary and the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent. A condition limiting the total shelves devoted to alcohol sales not to exceed five percent is included in the final conditions of approval.

Sunset Elementary School is located within a 600-foot radius of the subject property. The applicant's representative testified in favor of the project stating that a good working relationship exists between CVS Pharmacy and the school. The Regional Planning Commission (RPC) added a condition requiring an annual report regarding outreach to the community, specifically, outreach to the Sunset Elementary School.

The project site is located within a high-crime reporting area. Despite this, the local Sheriff's Department does not have any objection to the approval of this project. The patrol officer stated that the crime incidents reported in the crime report are not directly related to CVS store operations. A copy of the Sheriff's letter is included with this report.

The subject property is adequately served by streets of sufficient width and improved as necessary to carry the traffic generated by the facility. There are two major streets providing adequate access and circulation for ingress and egress. There are 77 parking spaces while 48 are required. The subject property includes eleven percent, or 7,875 square feet of landscaping area and complies with the development standards while providing adequate buffering with the adjacent residential area. Therefore, the subject project satisfies County Code Section 22.56.040 by providing sufficient buffering in relation to the adjacent residential area within the immediate vicinity, an adequate

access via Sunset and Amar Streets, and a safe operation as recommended by the Sheriff's Department.

Staff has received two separate petitions in favor and in opposition of the project. There are 27 signatures in favor and 22 signatures opposing the sale of alcoholic beverages at this location. Staff included a copy of both petitions with this package.

The CVS Pharmacy represents a major financial investment in the area. The retail store and the pharmacy actively contribute to the community by both creation of employment and economic stimulation to the area. The granting of this CUP to sell alcoholic beverages (a Type 21 license) for off-site consumption at an existing CVS store provides a public convenience in that it will allow the public to shop for any number of items, including a full-line of alcoholic beverages, in a safe and well-lit environment.

Implementation of Strategic Plan Goals

This CUP promotes the County's Strategic Plan Goal of Service Excellence. The CUP will allow the sale of alcoholic beverages in conjunction with retail goods at the CVS store and will serve as a public convenience to the surrounding neighborhood and patrons of the establishment.

FISCAL IMPACT/FINANCING

The sale of alcoholic beverages and the approval of the CUP should not result in any new significant costs to the County.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On October 31, 2012, RPC held a public hearing regarding this project. After testimony and discussion, the RPC voted 4-0 (with one absence) to approve the CUP. One phone call was received against the project. The caller stated that they intend to participate in the public hearing. No other information was available at the hearing regarding the opponent. The appellant opposed this case and filed an appeal after RPC's approval.

Pursuant to subsection A of Section 22.60.230 of the County Code, Sunset Liquor, appealed the Regional Planning Commission's approval to the Board of Supervisors on November 7, 2012. A public hearing is required pursuant to Section 22.60.240 of the County Code and Sections 65335 and 65856 of the Government Code. Notice of the hearing must be given pursuant to the procedures set forth in Section 22.60.174 of the County Code. These procedures exceed the minimum standards of Government Code Sections 6061, 65090, 65355, and 65856 relating to notice of public hearing.


ENVIRONMENTAL DOCUMENTATION

This project qualifies for a Categorical Exemption and complies with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The proposed off-sale of alcoholic beverages, Type 21 license with a total of proposed 2.98 percent of alcohol shelf space, not to exceed a maximum of five percent of the total shelves devoted to alcohol sales involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

Action on the proposed CUP is not anticipated to have a negative impact on current services.

Respectfully submitted,



Richard J. Bruchner
Director

RJB:MM:JN:lm

Attachments:

1. Findings and Conditions
2. Commission Staff Reports and Correspondence

c: Executive Office, Board of Supervisors
Assessor
Chief Executive Office
County Counsel
Public Works

**FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2011-01892-(1)
CONDITIONAL USE PERMIT NO. 201100162**

ENTITLEMENT REQUESTED. The applicant, CVS Pharmacy, is requesting a Conditional Use Permit (CUP) to authorize the continued sale of alcoholic beverages for off-site consumption, in the C-2-DP (Neighborhood Business Development Program) Zone. Pursuant to County Code Section 22.28.160 the sale of off-site alcoholic beverages is allowed in this zone, provided a conditional use permit has first been obtained. The applicant requests to change the license type from a Type 20 (off-sale beer and wine) to a Type 21 (off-sale General).

HEARING DATE: October 31, 2012

PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION

A duly noticed public hearing was held on October 31, 2012 before the Regional Planning Commission. Commissioners Valadez, Louie, Helsley, and Modugno were present. Commissioner Pedersen was absent. The applicant's representative, Ralph Saltsman presented testimony in favor of the request and answered questions presented by the Commission. Commissioner Valadez added a condition regarding outreach to the community annually.

There being no other testimony the Regional Planning Commission closed the public hearing and approved the conditional use permit by a vote of 4-0.

FINDINGS

1. **PROJECT DESCRIPTION.** The applicant requests a conditional use permit to allow the sale of alcoholic beverages (Type 21), which consists of sale of beer and wine and distilled spirits for off-site consumption. This application is in conjunction with the operation of an existing CVS pharmacy.
2. **LOCATION.** The project is located at 858 N Sunset Avenue within the unincorporated community of La Puente in the First Supervisorial District.
3. **SITE PLAN DESCRIPTION.** The site plan marked Exhibit "A" depicts the floor plan and related store shelves. The plan shows a total of 109 store shelves of which seven are devoted to the sale of alcoholic beverages. Further, the total merchandise shelves are 18,366 linear inches of which 2.96 percent or 2,424 linear inches are devoted to alcohol sales.
4. **EXISTING ZONING.**
The subject property is zoned C-2-DP (Neighborhood Business Development Program), in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: C-3-BE (Unlimited Commercial Billboard Exclusion Zone)

South: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)

East: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)

West: City of La Puente

5. EXISTING LAND USES.

The subject property is developed with a CVS Pharmacy retail store.

Surrounding properties are developed as follows:

North: Vacant lot and Single-Family Dwellings

South: Single-Family Dwellings

East: Single-Family Dwellings

West: Shopping Center

6. PREVIOUS CASES/ZONING HISTORY

ZC 90-228- Approved on August 6, 1992 to rezone the subject property from A-1-6,000 (Light Agricultural, 6,000 sq. ft minimum lot) to C-2-DP (Neighborhood Business, Development Program).

CUP 01-194- Approved on March 13, 2002 authorized the construction, operation and maintenance of a CVS pharmacy with a drive-thru window and the sale of beer and wine for off-site consumption. This grant terminated on March 13, 2012 and the applicant filed a timely renewal.

PP47397 –Approved the CVS Pharmacy signs with locations and dimension on July 30, 2002.

CUP 200500191 – Approved on July 31, 2006 authorized the construction and operation of an unmanned wireless telecommunications facility consisting of a 50-foot high flagpole with three panel antennas inside the pole and appurtenant equipment cabinets.

7. GENERAL PLAN CONSISTENCY

The project site is located within the Major Commercial land use category of the Los Angeles County General Plan. The Major Commercial land use designation is intended for typical commercial use patterns including central business districts, regional office complexes, major shopping malls and centers, major commercial recreation facilities and a range of mixed commercial retail and service activities. The existing CVS retail store provides retail sales and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Countywide General Plan are applicable to the proposed project:

- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (LU – A5)*
- *The proposed use shall be easily accessible and shall be situated at community focal points such as major intersections and established neighborhood shopping facilities.*

The existing CVS retail store provides goods and services to the community and is easily accessible by major intersections from Sunset Avenue and Amar Road.

8. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

The subject property complies with the development standards of Code Section 22.28.170. The site includes 11 percent or 7,875 sq. ft of landscaping area which exceeds the required minimum 10 percent landscaping. There are 77 parking spaces available while 48 spaces are required. The existing CVS includes 19 outdoor signs on the subject property previously approved by Regional Planning. There is no outside storage proposed. The building height does not exceed 35 ft above grade.

9. COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.

The Sheriff's crime report for the last five years indicates 30 crime reports, and 74 service calls. Staff also spoke to a patrol officer with the Puente Sheriff's station who stated that the crime incidents reported in the crime report are not directly related to CVS Pharmacy operations. The Sheriff's station requested that the property address on the north façade be legible. A condition addressing this has been included in this approval.

10. OTHER AGENCY COMMENTS AND RECOMMENDATIONS.

The crime-reporting district for the subject community is Crime Reporting District No. 1421. The subject census tract is located within a crime-reporting district with higher than average crime. The average number of offenses per district, countywide was 152 crime offenses. An area is considered a "high crime" area if 120% of average criminal offenses are present (120 percent of 152 offenses is 182 offenses). The reported crimes total 742; this represents above the average criminal offenses estimated countywide. This percentage exceeds the 120 percent threshold of 182 offenses. The area, therefore, is considered a "high-crime" reporting district.

11. ABC monitors alcoholic licenses based on countywide population formulas for total licenses issued and the resale of existing licenses no longer in use. Included in its analysis is information by census tract indicating the number of licenses allowed and the numbers of existing licenses in the subject census tract. ABC indicates whether an "undue concentration" of alcohol exists based on those statistics. In the report, ABC provided the following information: The census tract for the subject community is Tract No. 4073.02. One liquor licenses is located within the subject census tract and three licenses are "allowed" according to ABC formulas. However, there is a liquor store and a bar within a 500-foot radius in a different census tract. Therefore, an undue concentration exists and a letter of public necessity or convenience is necessary and the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent.

12. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was

appropriately notified of the public hearing by mail, newspaper and property posting.

13. **PUBLIC COMMENTS.** One phone call was received against the project. The caller stated that they intend to participate in the public hearing. No other information was available at the hearing regarding the opponent. The applicant provided a petition to the Regional Planning Commission with 27 signatures in favor of this project.
14. The Regional Planning Commission finds that the CVS store shall provide annual outreach report and specifically their outreach to the Sunset Elementary School.

CONDITIONAL USE PERMIT SPECIFIC FINDINGS

15. The sale of alcoholic beverages on the subject property was established in 2002. There are no zoning violations on the subject property at this time. The Sheriff's Department does not have any objection to the approval of this project. The sale of alcoholic beverages at this location provides a well-lit environment without the threat of encountering individuals under the influence of alcohol entering or leaving a drinking establishment.
16. Therefore, the requested use at the location will not:
Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
17. There are 77 parking spaces while 48 are required. There is adequate buffering and landscaping on the site complying with the Code requirements.
18. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
19. The subject site is served by two major streets located on the intersection of Sunset Avenue and Amar Street and provides adequate access and circulation for ingress and egress.
20. Therefore, the proposed site is adequately served:
 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.
21. Sunset Elementary School is located within a 600 ft radius of the subject property. Only a portion of the school playground is within 600 feet of the subject property, and

the school entrance is not within 600 feet of the subject property. There are no churches or parks within a 600-foot radius.

22. Therefore, the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
23. The subject property is located adjacent to single-family residences. A 6-foot high, solid masonry wall and landscaping varying from 6 ft wide along the Shadydale Avenue side to 20 ft wide on the western side of the property line creates a buffer between the residential area and the subject property.
24. Therefore, the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
25. There is a liquor store and a bar within a 500-foot radius. Therefore, an undue concentration exists pursuant to Countywide Section 22.56.195 and a letter of public necessity or convenience is necessary and the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent.
26. The Regional Planning Commission finds that the proposed sale of alcoholic beverages provides a public convenience in that it will allow the public to shop for any number of items, including a full line of alcoholic beverages, in a safe and well-lit environment.
27. Therefore, the Regional Planning Commission finds that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption.
28. The CVS Pharmacy represents a major financial investment in the area. The retail store and the pharmacy actively contribute to the community by both creation of employment and economic stimulation to the area.
29. Therefore, the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
30. The exterior appearance of the CVS pharmacy building is consistent with the appearance of existing commercial structures in the area. The building design reflects regional design influences by adopting popular local colors and materials including a colonnade of arches at the entry portico, utilizing red Spanish tile on the exterior walls and adding columns on the exterior walls to provide visual interest and shadow. No new construction is proposed.
31. Staff visited the site on October 18, 2012 and found that the existing facilities to include landscaping, parking and signage are consistent with the previous site plan

approvals for PP 47397 and CUP 01-194. Staff noticed that part of the property address on the north façade was missing and included a condition to replace the existing address with a legible property address at this location.

32. Therefore, the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

ENVIRONMENTAL DETERMINATION

33. The proposed off-sale of alcoholic beverages, Type 21 license with a total of 2.98 percent of shelf space involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

34. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to **15 years** with **eight (8) biennial (one in the first year and every other year thereafter)** site inspections.
35. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

- C. That the proposed site is adequately served:
 - 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 - 2. By other public or private service facilities as are required.
- D. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- F. The Regional Planning Commission finds that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption at the proposed location, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, and the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and
- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

REGIONAL PLANNING COMMISSION ACTION:

- 1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
- 2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No 201100162 is **Approved** subject to the attached conditions.

VOTE 4-0-1

Concurring: Valadez, Louie, Helsley, Modugno

Dissenting:

Abstaining:

Absent: Pedersen

Action Date: October 31, 2012

MM:JN

**CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2011-01892-(1)
CONDITIONAL USE PERMIT NO. 201100162**

PROJECT DESCRIPTION

This conditional use permit allows the continued sale of alcoholic beverages for off-site consumption in conjunction with a CVS store and a request to change the Type 20 license (off-site Beer and Wine) to Type 21 (off-site General) sales subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on October 31, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the off-site sale of alcoholic beverages Type 21 and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") may, after conducting a public hearing, revoke or modify this grant, if the Commission finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, Three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PERMIT SPECIFIC CONDITIONS

18. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
19. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
20. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
21. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
22. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
23. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.

24. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
25. No sale of alcoholic beverages shall be made from a drive-in window.
26. Any conditions on hours of alcohol sale should be consistent with store operating hours. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m. seven days a week, consistent with California state law.
27. No display of alcoholic beverages shall be made from an ice tub.
28. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
29. The total shelves devoted to the sale of alcoholic beverages shall not exceed 5 percent of the total shelves in the store.
30. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines.
31. Employees on duty after 10:00 pm shall be at least 21 years of age.
32. The beer in containers of 16 ounces or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer is prohibited.
33. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
34. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler.

PROJECT SITE SPECIFIC CONDITIONS

35. The permittee shall provide 77 on-site standard parking spaces with four (4) reserved for the handicapped with the appropriate access to the subject pharmacy. The handicapped parking space shall be 14 ft wide and lined to provide a 9 ft parking area and a five ft loading and unloading area and meet the American Disability Act (ADA) requirements.
36. No outside storage is permitted.

37. Landscape planters of at least five feet in width shall be provided along Amar Road and Sunset Avenue. The width of the planters shall be increased to the extent that it does not conflict with the provision of buffer landscaping adjacent to the surrounding single family residences or interfere with vehicular access and circulation as determined by the Director of Planning.
38. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of planters when necessary.
39. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee.
40. The permittee shall replace the existing address identification sign on the exterior north façade of the building with a legible and complete address of the subject property within 60 days of approval.
41. The permittee shall provide adequate lighting above all entrances and exits to the premises. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
42. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.
43. The permittee shall provide an annual report regarding outreach to the community specifically to the Sunset Elementary School. The report shall be addressed to the Zoning Enforcement East Section.

MM:JN
10/31/12

Regional Planning Commission Transmittal Checklist

Hearing Date
October 31, 2012

Agenda Item No. 5

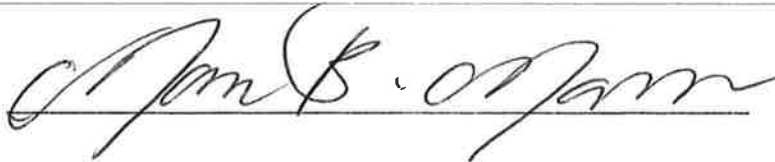
Project Number: R2011-01892

Case(s): Conditional Use Permit Case No. 201100162

Planner: Jeantine Nazar

- ☒ Factual
- ☒ Property Location Map
- ☒ Staff Report
- ☐ Draft Resolution / Draft Ordinance / 8.5x11 Map (ZC or PA)
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (Negative Declaration)
- ☐ Correspondence
- ☒ Photographs
- ☒ Aerial Image(s)
- ☒ Land Use Radius Map
- ☐ Tentative Tract / Parcel Map
- ☒ Site Plan / Floor Plans /
- ☐ Exhibit Map
- ☐ Landscaping Plans
- ☒ ABC Report
- ☒ Sheriff's Report
- ☒ Previous approval CUP 01-194

Reviewed By:



ENTITLEMENTS REQUESTED

- This is a request for a Conditional Use Permit (CUP), pursuant to County Code Sections 22.56.040 and 22.56.195, to authorize the continued sale of alcoholic beverages for off-site consumption, in the C-2-DP (Neighborhood Business Development Program) Zone. Pursuant to County Code Section 22.28.160 the sale of off-site alcoholic beverages is allowed in this zone, provided a conditional use permit has first been obtained. The applicant requests to change the license type from a Type 20 (off-sale beer and wine) to a Type 21 (off-sale General).

PROJECT DESCRIPTION

The applicant requests a conditional use permit to allow the sale of alcoholic beverages (Type 21), which consists of sale of beer and wine and distilled spirits for off-site consumption. This application is in conjunction with the operation of an existing CVS pharmacy.

LOCATION

The project is located at 848 and 858 N Sunset Avenue within the unincorporated community of La Puente in the First Supervisorial District.

SITE PLAN DESCRIPTION

The site plan marked Exhibit "A" depicts the floor plan and related store shelves. The plan shows a total of 109 store shelves of which seven are devoted to the sale of alcoholic beverages. Further, the total merchandise shelves are 18,366 linear inches of which 2.96 percent or 2,424 linear inches are devoted to alcohol sales.

EXISTING ZONING

The subject property is zoned C-2-DP (Neighborhood Business Development Program), in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: C-3-BE (Unlimited Commercial Billboard Exclusion Zone)
South: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)
East: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)
West: City of La Puente

EXISTING LAND USES

The subject property is developed with a CVS Pharmacy retail store.

Surrounding properties are developed as follows:

North: Vacant lot and Single-Family Dwellings
South: Single-Family Dwellings
East: Single-Family Dwellings
West: Shopping Center

PREVIOUS CASES/ZONING HISTORY

ZC 90-228- Approved on August 6, 1992 to rezone the subject property from A-1-6,000 (Light Agricultural, 6,000 sq. ft minimum lot) to C-2-DP (Neighborhood Business, Development Program).

CUP 01-194- Approved on March 13, 2002 authorized the construction, operation and maintenance of a CVS pharmacy with a drive-thru window and the sale of beer and wine for off-site consumption. This grant terminated on March 13, 2012 and the applicant filed a timely renewal.

PP47397 –Approved the CVS Pharmacy signs with locations and dimension on July 30, 2002.

CUP 200500191 – Approved on July 31, 2006 authorized the construction and operation of an unmanned wireless telecommunications facility consisting of a 50-foot high flagpole with three panel antennas inside the pole and appurtenant equipment cabinets.

ENVIRONMENTAL DETERMINATION

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. A Class 1 Categorical Exemption consists of the operation, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The proposed project requests to change the alcohol license type to allow the sale of distilled spirits in addition to beer and wine. The floor plan depicts the additional shelves for distilled spirits and the total proposed alcohol shelves total 2.98 percent of the shelves while a maximum of five percent are allowed. No new construction is proposed. Therefore, staff recommends that the Regional Planning Commission determine that the project is categorically exempt from CEQA.

STAFF EVALUATION

General Plan Consistency

The project site is located within the Major Commercial land use category of the Los Angeles County General Plan. The Major Commercial land use designation is intended for typical commercial use patterns including central business districts, regional office complexes, major shopping malls and centers, major commercial recreation facilities and a range of mixed commercial retail and service activities. The existing CVS retail store provides retail sales and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Countywide General Plan are applicable to the proposed project:

- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (LU – A5)*
- *The proposed use shall be easily accessible and shall be situated at community focal points such as major intersections and established neighborhood shopping facilities.*

The existing CVS retail store provides goods and services to the community and is easily accessible by major intersections from Sunset Avenue and Amar Road.

Zoning Ordinance and Development Standards Compliance

Pursuant to Section 22.28.170 of the County Code, establishments in the C-2 Zone are subject to the following development standards:

- A. That not more than 90 percent of the net area be occupied by buildings with a minimum of 10 percent of the net area landscaped with a lawn, shrubbery, flowers and/or trees, which shall be continuously maintained in good condition. Incidental walkways, if needed, may be developed in the landscaped area.

The subject property includes 11% or 7,875 sq. ft of landscaping area and complies with the development standards.

- B. That there be parking facilities as required by Part 11 of Chapter 22.52.

Section 22.52.1100 specifies that commercial areas should provide automobile parking space for every 250 sq ft of floor area of any building or structure so used. For this CUP, this calculates to a requirement of 48 parking spaces. The applicant's site plan shows 77 parking spaces exceeding the parking requirement.

- C. A building or structure shall not exceed a height of 35 ft above grade excluding signs which are permitted by Part 10 of Chapter 22.52 chimneys and rooftop antennas.

The building height does not exceed 35 ft above grade.

- D. Outside Display. Except for specified uses in Section 22.28.170.D, all display in Zone C-2 shall be located entirely within an enclosed building unless otherwise authorized by a temporary use permit.

The existing CVS includes 19 outdoor signs on the subject property previously approved by Regional Planning.

- E. Outside Storage. No outside storage shall be permitted in Zone C-2. There is no outside storage proposed.

Burden of Proof for Conditional Use Permit

The applicant is required to substantiate all facts identified by Section 22.56.040 of the Los Angeles County Code to the satisfaction of the hearing officer for the following facts:

- A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and

The sale of alcoholic beverages on the subject property was established in 2002. There are no zoning violations on the subject property at this time. The Sheriff's Department does not have any objection to the approval of this project. The sale of alcoholic beverages at this location provides a well-lit environment.

- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- There are 77 parking spaces while 48 are required. There is adequate buffering and landscaping on the site complying with the Code requirements.*

- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.
- The subject site is served by two major streets located on the intersection of Sunset Avenue and Amar Street and provides adequate access and circulation for ingress and egress.*

Burden of Proof for off-site consumption of alcoholic beverages

In addition to the burden of proof provided in Section 22.56.040, the planning agency shall approve an application for a conditional use permit for alcoholic beverage sales as provided in Section 22.56.195, where the information submitted by the applicant, or presented at public hearing, substantiates the following findings:

1. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- Sunset Elementary School is located within a 600 ft radius of the subject property. Only a portion of the school playground is within 600 feet of the subject property, and the school entrance is not within 600 feet of the subject property.*

2. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
The subject property is located adjacent to single-family residences. A 6-foot high, solid masonry wall and landscaping varying from 6 ft wide along the Shadydale Avenue side to 20 ft wide on the western side of the property line creates a buffer between the residential area and the subject property.
3. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and
There is a liquor store and a bar within a 500-foot radius. Therefore, an undue concentration exists and a letter of public necessity or convenience is necessary and the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent.
4. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
The CVS Pharmacy represents a major financial investment in the area. The retail store and the pharmacy actively contribute to the community by both creating employment and economic stimulation to the area.
5. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.
The exterior appearance of the CVS pharmacy building is consistent with the appearance of existing commercial structures in the area. The building design reflects regional design influences by adopting popular local colors and materials including a colonnade of arches at the entry portico, utilizing red Spanish tile on the exterior walls and adding columns on the exterior walls to provide visual interest and shadow. No new construction is proposed.

The Burden of Proof with the applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS

Sheriff's Department

Staff has received Sheriff's crime report for the last five years indicating 30 crime reports, and 74 service calls. Staff also spoke to patrol officer with the Sheriff's Station

stating that the crime incidents reported in the crime report are not directly related to CVS Pharmacy operations.

OTHER AGENCY COMMENTS AND RECOMMENDATIONS

California Department of Alcoholic Beverage Control (ABC)

Coordination between the County and ABC is required relating to the sale of alcoholic beverages in the subject community. In its report dated September 20, 2012, ABC reported the following findings regarding the project location within the Community of La Puente.

1. The crime-reporting district for the subject community is Crime Reporting District No. 1421. The subject census tract is located within a crime-reporting district with higher than average crime. The average number of offenses per district, countywide was 152 crime offenses. An area is considered a "high crime" area if 120% of average criminal offenses are present (120 percent of 152 offenses is 182 offenses). The reported crimes total 742; this represents above the average criminal offenses estimated countywide. This percentage exceeds the 120 percent threshold of 182 offenses. The area, therefore, is considered a "high-crime" reporting district.

2. ABC monitors alcoholic licenses based on countywide population formulas for total licenses issued and the resale of existing licenses no longer in use. Included in its analysis is information by census tract indicating the number of licenses allowed and the numbers of existing licenses in the subject census tract. ABC indicates whether an "undue concentration" of alcohol exists based on those statistics. In the report, ABC provided the following information: The census tract for the subject community is Tract No. 4073.02. One liquor license is located within the subject census tract and three licenses are "allowed" according to ABC formulas. No undue concentration of licenses exists and there is no need for a letter of public convenience or necessity by a Governing Body.

LEGAL NOTIFICATION AND PUBLIC OUTREACH

Pursuant to the provisions of Section 22.60.174 of the County Code, the Notice of Public Hearing was advertised in the "San Gabriel Valley Tribune" and "La Opinion" on September 20, 2012. A total of 233 public hearing notices regarding the subject application were mailed out to the owners of properties located within the 500-foot radius on September 13, 2012. Twenty four notices were sent to the local community groups and residents on the Zoned District courtesy list and four notices to local agencies.

Case information materials, including the Notice of Public Hearing and Factual Sheet were sent to the La Puente Library at 15920 E Central Avenue, La Puente CA 91744. The same information was posted on the Department of Regional Planning's website.

Pursuant to the Code Section 22.60.175 of the County Code, the applicant must post the public hearing notice on the property no less than 30 days prior to the public hearing date. Staff received photos and the Certificate of Posting stating that the Notice of Public Hearing was posted on September 27, 2012 from the applicant.

PUBLIC COMMENTS

Staff has not received any comments at this time.

STAFF RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **approval** of Project Number R2011-01892, Conditional Use Permit Number 201100162, subject to the attached draft conditions and findings.

SUGGESTED APPROVAL MOTIONS:

I MOVE THAT THE REGIONAL PLANNING COMMISSION FIND THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT. PURSUANT TO CLASS 1-EXISTING FACILITIES, CATEGORICAL EXEMPTION.

I MOVE THAT THE REGIONAL PLANNING COMMISSION CLOSE THE PUBLIC HEARING AND APPROVE CONDITIONAL USE PERMIT NUMBER 201100162 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

Prepared by Jeantine Nazar, Regional Planning Assistant II, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

Attachments:

Draft Findings, Draft Conditions of Approval
Applicant's Burden of Proof statement
Sherriff's Dept report and ABC comments
Site Photographs, Photo Simulations, Aerial Image
Floor / Site Plans, Land Use Map

MM:JN
10/16/2012

**DRAFT FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION
COUNTY OF LOS ANGELES
PROJECT NO. R2011-01892-(1)
CONDITIONAL USE PERMIT NO. 201100162**

ENTITLEMENT REQUESTED. The applicant, CVS Pharmacy, is requesting a Conditional Use Permit (CUP) to authorize the continued sale of alcoholic beverages for off-site consumption, in the C-2-DP (Neighborhood Business Development Program) Zone. Pursuant to County Code Section 22.28.160 the sale of off-site alcoholic beverages is allowed in this zone, provided a conditional use permit has first been obtained. The applicant requests to change the license type from a Type 20 (off-sale beer and wine) to a Type 21 (off-sale General).

HEARING DATE: October 31, 2012

FINDINGS

1. **PROJECT DESCRIPTION.** The applicant requests a conditional use permit to allow the sale of alcoholic beverages (Type 21), which consists of sale of beer and wine and distilled spirits for off-site consumption. This application is in conjunction with the operation of an existing CVS pharmacy.
2. **LOCATION.** The project is located at 848 and 858 N Sunset Avenue within the unincorporated community of La Puente in the First Supervisorial District.
3. **SITE PLAN DESCRIPTION.** The site plan marked Exhibit "A" depicts the floor plan and related store shelves. The plan shows a total of 109 store shelves of which seven are devoted to the sale of alcoholic beverages. Further, the total merchandise shelves are 18,366 linear inches of which 2.96 percent or 2,424 linear inches are devoted to alcohol sales.
4. **EXISTING ZONING.**
The subject property is zoned C-2-DP (Neighborhood Business Development Program), in the Puente Zoned District.

Surrounding properties are zoned as follows:

North: C-3-BE (Unlimited Commercial Billboard Exclusion Zone)

South: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)

East: A-1-6,000 (Light Agricultural -6,000 sq ft minimum lot)

West: City of La Puente

5. **EXISTING LAND USES.**

The subject property is developed with a CVS Pharmacy retail store.

Surrounding properties are developed as follows:

North: Vacant lot and Single-Family Dwellings

South: Single-Family Dwellings

East: Single-Family Dwellings

West: Shopping Center

6. PREVIOUS CASES/ZONING HISTORY

ZC 90-228- Approved on August 6, 1992 to rezone the subject property from A-1-6,000 (Light Agricultural, 6,000 sq. ft minimum lot) to C-2-DP (Neighborhood Business, Development Program).

CUP 01-194- Approved on March 13, 2002 authorized the construction, operation and maintenance of a CVS pharmacy with a drive-thru window and the sale of beer and wine for off-site consumption. This grant terminated on March 13, 2012 and the applicant filed a timely renewal.

PP47397 –Approved the CVS Pharmacy signs with locations and dimension on July 30, 2002.

CUP 200500191 – Approved on July 31, 2006 authorized the construction and operation of an unmanned wireless telecommunications facility consisting of a 50-foot high flagpole with three panel antennas inside the pole and appurtenant equipment cabinets.

7. GENERAL PLAN CONSISTENCY

The project site is located within the Major Commercial land use category of the Los Angeles County General Plan. The Major Commercial land use designation is intended for typical commercial use patterns including central business districts, regional office complexes, major shopping malls and centers, major commercial recreation facilities and a range of mixed commercial retail and service activities. The existing CVS retail store provides retail sales and is therefore consistent with the permitted uses of the underlying land use category.

The following policies of the Countywide General Plan are applicable to the proposed project:

- *Promote neighborhood commercial facilities which provide convenience goods and services and complement community character through appropriate scale, design and locational controls. (LU – A5)*
- *The proposed use shall be easily accessible and shall be situated at community focal points such as major intersections and established neighborhood shopping facilities.*

The existing CVS retail store provides goods and services to the community and is easily accessible by major intersections from Sunset Avenue and Amar Road.

8. ZONING ORDINANCE AND DEVELOPMENT STANDARDS COMPLIANCE.

The subject property complies with the development standards of Code Section 22.28.170. The site includes 11 percent or 7,875 sq. ft of landscaping area which exceeds the required minimum 10 percent landscaping. There are 77 parking spaces available while 48 spaces are required. The existing CVS includes 19 outdoor signs on the subject property previously approved by Regional Planning.

There is no outside storage proposed. The building height does not exceed 35 ft above grade.

9. **COUNTY DEPARTMENT COMMENTS AND RECOMMENDATIONS.**

The Sheriff's crime report for the last five years indicating 30 crime reports, and 74 service calls. Staff also spoke to patrol officer with the Puente Sheriff's station stating that the crime incidents reported in the crime report are not directly related to CVS Pharmacy operations. The Sheriff's station requested that the property address on the north façade be legible. Staff included a condition to this effect.

10. **OTHER AGENCY COMMENTS AND RECOMMENDATIONS.**

The crime-reporting district for the subject community is Crime Reporting District No. 1421. The subject census tract is located within a crime-reporting district with higher than average crime. The average number of offenses per district, countywide was 152 crime offenses. An area is considered a "high crime" area if 120% of average criminal offenses are present (120 percent of 152 offenses is 182 offenses). The reported crimes total 742; this represents above the average criminal offenses estimated countywide. This percentage exceeds the 120 percent threshold of 182 offenses. The area, therefore, is considered a "high-crime" reporting district.

11. ABC monitors alcoholic licenses based on countywide population formulas for total licenses issued and the resale of existing licenses no longer in use. Included in its analysis is information by census tract indicating the number of licenses allowed and the numbers of existing licenses in the subject census tract. ABC indicates whether an "undue concentration" of alcohol exists based on those statistics. In the report, ABC provided the following information: The census tract for the subject community is Tract No. 4073.02. One liquor license is located within the subject census tract and three licenses are "allowed" according to ABC formulas. However, there is a liquor store and a bar within a 500-foot radius in a different census tract. Therefore, an undue concentration exists and a letter of public necessity or convenience is necessary and the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent.

12. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.

13. **PUBLIC COMMENTS.** Staff has not received any comments in favor or against this project.

14. The sale of alcoholic beverages on the subject property was established in 2002. There are no zoning violations on the subject property at this time. The Sheriff's Department does not have any objection to the approval of this project. The sale of alcoholic beverages at this location provides a well-lit environment without the

threat of encountering individuals under the influence of alcohol entering or leaving a drinking establishment.

15. Therefore, the requested use at the location will not:
Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
16. There are 77 parking spaces while 48 are required. There is adequate buffering and landscaping on the site complying with the Code requirements.
17. Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
18. The subject site is served by two major streets located on the intersection of Sunset Avenue and Amar Street and provides adequate access and circulation for ingress and egress.
19. Therefore, the proposed site is adequately served:
 1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.
20. Sunset Elementary School is located within a 600 ft radius of the subject property. Only a portion of the school playground is within 600 feet of the subject property, and the school entrance is not within 600 feet of the subject property.
21. Therefore, the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
22. The subject property is located adjacent to single-family residences. A 6-foot high, solid masonry wall and landscaping varying from 6 ft wide along the Shadydale Avenue side to 20 ft wide on the western side of the property line creates a buffer between the residential area and the subject property.
23. Therefore, the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
24. There is a liquor store and a bar within a 500-foot radius. Therefore, an undue concentration exists and a letter of public necessity or convenience is necessary and

the total shelf space devoted to alcoholic beverage sale shall be limited to a maximum of five percent.

25. Therefore, the Regional Planning Commission finds that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption.
26. The Regional Planning Commission finds that the proposed sale of alcoholic beverages provides a public convenience in that it will allow the public to shop for any number of items, including a full line of alcoholic beverages, in a safe and well-lit environment.
27. The CVS Pharmacy represents a major financial investment in the area. The retail store and the pharmacy actively contribute to the community by both creation of employment and economic stimulation to the area.
28. Therefore, the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.
29. The exterior appearance of the CVS pharmacy building is consistent with the appearance of existing commercial structures in the area. The building design reflects regional design influences by adopting popular local colors and materials including a colonnade of arches at the entry portico, utilizing red Spanish tile on the exterior walls and adding columns on the exterior walls to provide visual interest and shadow. No new construction is proposed.
30. Staff visited the site on October 18, 2012 and found that the existing facilities to include landscaping, parking and signage are consistent with the previous site plan approvals for PP 47397 and CUP 01-194. Staff noticed that part of the property address on the north façade was missing and included a condition to replace the existing address with a legible property address at this location.
31. Therefore, the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

ENVIRONMENTAL DETERMINATION

32. The proposed off-sale of alcoholic beverages, Type 21 license with a total of 2.98 percent of shelf space involves negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

33. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Regional Planning Commission determines that it is necessary to limit the term of the grant to **15 years with eight (8) biennial (one in the first year and every other year thereafter)** site inspections.
34. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Regional Planning Commission's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the East Section, Los Angeles County Department of Regional Planning.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. That the requested use at the location will not:
1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and
- C. That the proposed site is adequately served:
1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
 2. By other public or private service facilities as are required.
- D. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius; and
- E. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area; and
- F. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted

to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment; and

- G. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community; and
- H. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

REGIONAL PLANNING COMMISSION ACTION:

1. The Regional Planning Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit No 201100162 is **Approved** subject to the attached conditions.

VOTE

Concurring:

Dissenting:

Abstaining:

Absent:

Action Date: October 31, 2012

MM:JN

October 18, 2012

**DRAFT CONDITIONS OF APPROVAL
COUNTY OF LOS ANGELES
PROJECT NO. R2011-01892-(1)
CONDITIONAL USE PERMIT NO. 201100162**

PROJECT DESCRIPTION

This conditional use permit allows the continued sale of alcoholic beverages for off-site consumption in conjunction with a CVS store and a request to change the Type 20 license (off-site Beer and Wine) to Type 21 (off-site General) sales subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on October 31, 2027.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the off-site sale of alcoholic beverages Type 21 and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken

on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **eight (8) biennial (one every other year)** inspections. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") may, after conducting a public hearing, revoke or modify this grant, if the Commission finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform to the requirements of the County Department of Public Works.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, Three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning within sixty (60) days of the date of final approval.

PERMIT SPECIFIC CONDITIONS

18. The conditions of this grant shall be retained on the premises at all times and shall be immediately produced upon request of any County Sheriff, Zoning Inspector or Department of Alcoholic Beverage Control agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein.
19. Loitering shall be prohibited on the subject property, including loitering by employees of the subject property. Signage in compliance with Section 22.52 Part 10 of the County Code shall be placed on the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
20. The permittee, and all managers and designated employees of the establishment, who directly serve or are in the practice of selling alcoholic beverages, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by the State of California Department of Alcoholic Beverage Control. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment such as the lobby, indicating they have participated in this program. Proof of completion of the facilities' training program by employees, the licensee and all managers shall be available upon request.
21. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property including windows, walls, fences or similar structures.
22. All regulations of the State of California prohibiting the sale of alcoholic beverages to minors shall be strictly enforced.
23. The permittee shall post or otherwise provide telephone numbers of local law enforcement agencies and taxicab companies at or near the cashier, or similar public service area. Such telephone numbers shall be visible by and available to the general public.

24. The consumption of alcoholic beverages shall be prohibited on the subject property. The permittee shall post signage on the premises prohibiting consumption of alcoholic beverages on the premises.
25. No sale of alcoholic beverages shall be made from a drive-in window.
26. Any conditions on hours of alcohol sale should be consistent with store operating hours. Alcohol sales shall be prohibited between 2:00 a.m. to 6:00 a.m. seven days a week, consistent with California state law.
27. No display of alcoholic beverages shall be made from an ice tub.
28. The permittee shall display alcoholic beverages only in the cooler or shelving designated for storage of said beverages as depicted on the "shelf plan" labeled Exhibit 'A'. No additional display of alcoholic beverages shall be provided elsewhere on the premises.
29. The total shelves devoted to the sale of alcoholic beverages shall not exceed 5 percent of the total shelves in the store.
30. The licensed premises shall have no coin operated amusements, such as pool tables, juke boxes, video games, small carousel rides or similar riding machines, with the exception of official State Lottery machines.
31. Employees on duty after 10:00 pm shall be at least 21 years of age.
32. The beer in containers of 16 ounces or less shall not be sold by single container, but must be sold in manufacturer pre-packaged multi-unit quantities. The permittee shall post signs on the coolers and cashier station stating the selling of single containers of beer is prohibited.
33. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
34. No alcoholic beverages shall be displayed within five feet of the cash register or the front door unless it is in a permanently affixed cooler.

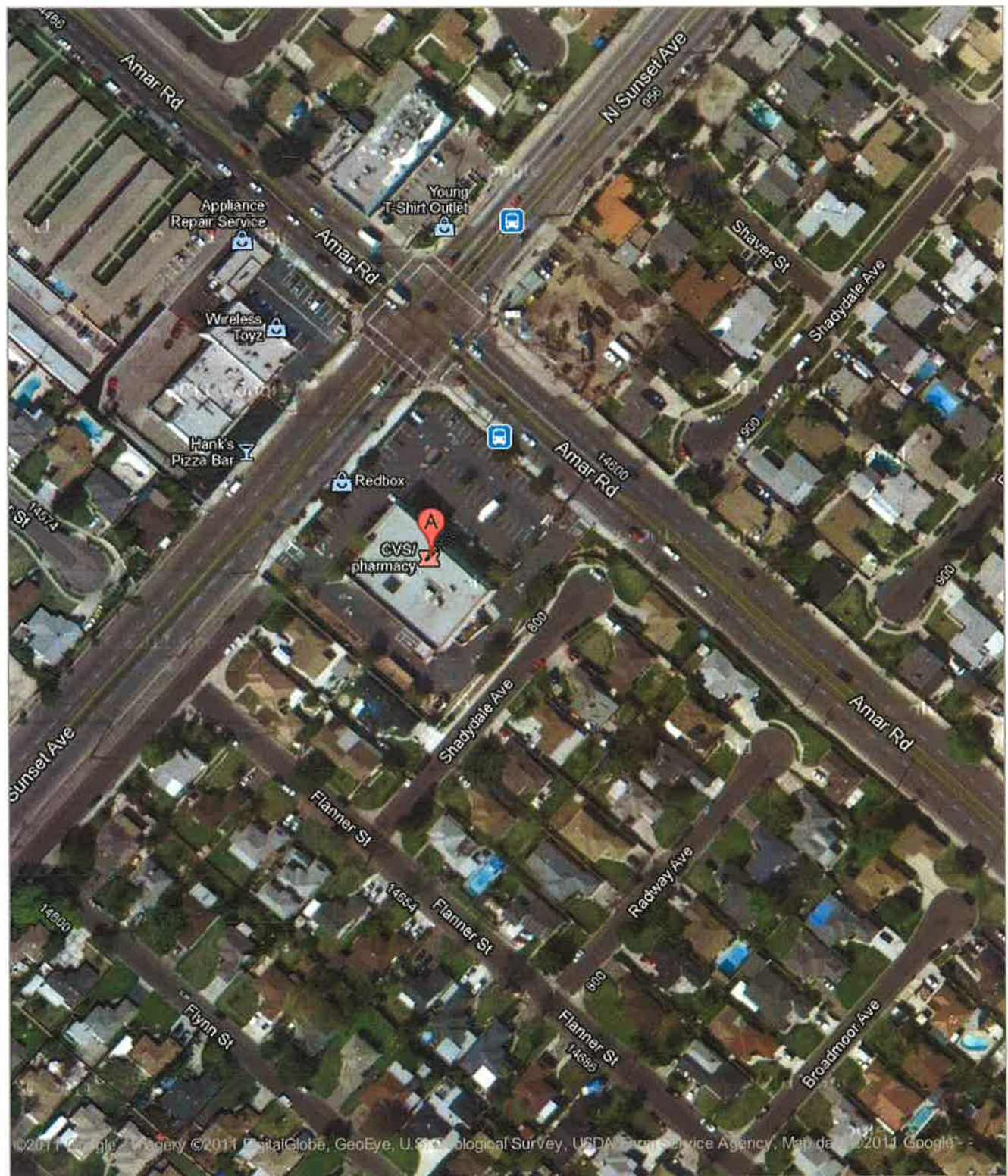
PROJECT SITE SPECIFIC CONDITIONS

35. The permittee shall provide 77 on-site standard parking spaces with four (4) reserved for the handicapped with the appropriate access to the subject pharmacy. The handicapped parking space shall be 14 ft wide and lined to provide a 9 ft parking area and a five ft loading and unloading area and meet the American Disability Act (ADA) requirements.
36. No outside storage is permitted.

37. Landscape planters of at least five feet in width shall be provided along Amar Road and Sunset Avenue. The width of the planters shall be increased to the extent that it does not conflict with the provision of buffer landscaping adjacent to the surrounding single family residences or interfere with vehicular access and circulation as determined by the Director of Planning.
38. All landscaping shall be maintained in a neat, clean and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of planters when necessary.
39. The permittee shall provide adequate lighting in all parking areas and walkways under control of the permittee.
40. The permittee shall replace the existing address identification sign on the exterior north façade of the building with a legible and complete address of the subject property within 60 days of approval.
41. The permittee shall provide adequate lighting above all entrances and exits to the premises. All lighting required by this grant shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons within lighted areas during operating hours and shall be designed so as to direct light and glare only onto the facility premises. Said lighting and glare shall be deflected, shaded and focused away from all adjoining properties.
42. All litter and trash shall be collected regularly from the premises and the adjacent right-of-way.

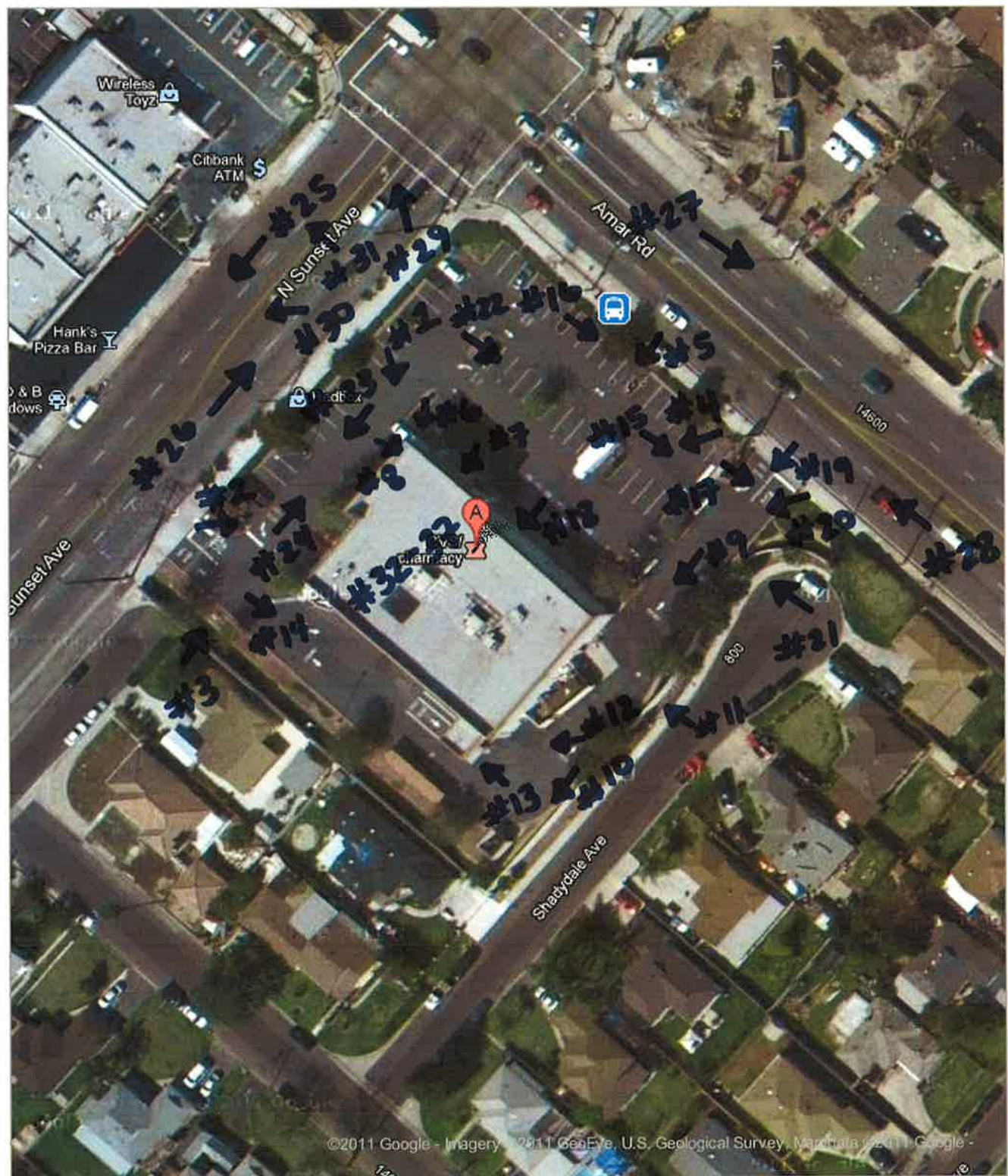


To see all the details that are visible on the screen, use the "Print" link next to the map.





To see all the details that are visible on the screen, use the "Print" link next to the map.





1. 848 & 858 N. Sunset Ave.: view looking south at the front entrance of the building.



2. 848 & 858 N. Sunset Ave.: view looking east at the northwest side of the building.



3. 848 & 858 N. Sunset Ave.: view looking northeast at the northwest side of the building.



4. 848 & 858 N. Sunset Ave.: view looking southwest at the northeast side of the building.



5. 848 & 858 N. Sunset Ave.: view looking southwest at the northeast side of the building.



6. 848 & 858 N. Sunset Ave.: view looking south at the front entrance doors of the building.



7. 848 & 858 N. Sunset Ave.: view looking at the front entrance window signage.



8. 848 & 858 N. Sunset Ave.: view looking at the signage on the front entrance, showing the hours of operation.



9. 848 & 858 N. Sunset Ave.: view looking southwest at the southeast (rear) side of the building.



10. 848 & 858 N. Sunset Ave.: view looking south west at the trash area for the building.



11. 848 & 858 N. Sunset Ave.: view looking northwest at the loading area at the rear of the building.



12. 848 & 858 N. Sunset Ave.: view looking west at the pharmacy drive thru on the southwest side of the building.



13. 848 & 858 N. Sunset Ave.: view looking northwest at the pharmacy drive thru.



14. 848 & 858 N. Sunset Ave.: view looking southeast at the pharmacy drive thru on the southwest side of the building.



15. 848 & 858 N. Sunset Ave.: view looking southeast at the drive thru signage located in the parking lot to the north of the building.



16. 848 & 858 N. Sunset Ave.: view looking at the signage in the parking lot to the north of the building.



17. 848 & 858 N. Sunset Ave.: view looking east at the signage in the parking lot to the north of the building.



18. 848 & 858 N. Sunset Ave.: view looking at the signage on the northeast side of the building.



19. 848 & 858 N. Sunset Ave.: view looking at the parking lot signage on the east side of the building.



20. 848 & 858 N. Sunset Ave.: view looking west at the entrance to the parking lot to the northeast of the building.



21. 848 & 858 N. Sunset Ave.: view looking northwest at the parking lot to the northeast of the building.



22. 848 & 858 N. Sunset Ave.: view looking southeast at the parking lot to the northeast of the building.



23. 848 & 858 N. Sunset Ave.: view looking southwest at the parking lot to the northwest of the building.



24. 848 & 858 N. Sunset Ave.: view looking northeast at the parking lot to the northeast of the building.



25. 848 & 858 N. Sunset Ave.: looking southwest onto N. Sunset Avenue.



26. 848 & 858 N. Sunset Ave.: looking northeast onto N. Sunset Avenue.



27. 848 & 858 N. Sunset Ave.: view looking southeast onto Amar Road.



28. 848 & 858 N. Sunset Ave.: view looking northwest onto Amar Road.



29. 848 & 858 N. Sunset Ave.: view looking north at the neighboring businesses.



30. 848 & 858 N. Sunset Ave.: view looking west at the neighboring businesses.



31. 848 & 858 N. Sunset Ave.: view looking northwest at the neighboring businesses.



32. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



33. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



34. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



35. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



36. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



37. 848 & 858 N. Sunset Ave.: interior picture of alcohol sales locations.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attached

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

See attached

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

See attached

Attachment

- A. The sale of alcoholic beverages is incidental to the drug store use. This business has been in operation since 2002 and has not adversely affected the welfare of the community because of the sound corporate policies of CVS and the conditions imposed by the County. The premise has been under exemplary management. This business continues to provide employment for many local residents and it purchases supplies and requires services from outside vendors which contribute to the economic base of the community.

The current application is simply one to renew pre-existing approvals with a request to change from a Type 20 license to a Type 21 license – no other modifications to the current CUP are requested. In the alternative to a license type change, a renewal of the right to continue to utilize the existing Type 20 license.

CVS policies include:

- All CVS associates complete training segments on customer service, personnel management, facility maintenance and operations, responsible retailing of age restricted alcoholic beverage and tobacco products and workplace safety.
- CVS utilizes multiple digital surveillance cameras at the subject location. Footage is maintained for a minimum of 30 days and the system can be monitored in real time by CVS Management.
- CVS cash registers have “hard stops” that require associates to check identification and validate customers are of sufficient legal age to purchase alcohol or tobacco before completing the sale.

Additionally, in 2002, after listening to the evidence and the analyses of Planning Staff, the Regional Planning Commission concluded, “that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety or general welfare.” The Regional Planning Committee was correct then and the exemplary operation of this business proves that it is still correct today.

- B. Additionally, in 2002, after listening to the evidence and the analyses of Planning Staff, the Regional Planning Commission concluded that “the proposed site is adequate in size and shape to accommodate the prescribed development features, or as is otherwise required in order to integrate said use with the uses in the surrounding area.” This is not a proposed site, but rather a fully developed site and existing business. The existing use has operated with no change for many years and there is no reason to believe it will not continue to integrate itself with the uses in the surrounding area with surrounding businesses and neighbors.
- C. This is not a proposed site, but rather a fully developed site and existing business. In 2002, after listening to the evidence and the analyses of Planning Staff, the Regional Planning Commission concluded “the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.” The site and business remains unchanged in size, scope and intensity and therefore the prior findings remain true today.



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



ALCOHOLIC BEVERAGE SALES BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.195, the applicant shall substantiate the following:
(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type No(s): 20/21 (e.g. Type 20, Type 41)

A. That the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

See attachment

B. That the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.

See attachment

C. The requested use at the proposed location will not result in an undue concentration of similar premises; a separation of not less than 500 feet shall not be construed as undue concentration; provided, however, that the planning agency may find that the public convenience or necessity for an additional facility selling alcoholic beverages for off-site consumption, outweighs the fact that it is located within a 500-foot radius of any other facility selling alcoholic beverages for either on-site or off-site consumption, in which case the shelf space devoted to alcoholic beverages shall be limited to not more than five percent of the total shelf space in the establishment.

See attachment

D. That the requested use at the proposed location will not adversely affect the economic welfare of the surrounding community.

See attachment

E. That the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

See attachment

Attachment

- A. The applicant has an existing CUP and has served the community since the year 2002 without adverse impacts to the sensitive use within a 600 ft radius of the site. Only a portion of the sensitive use is within the 600 foot radius, with the fronts and access points facing away from the subject property. The business, as previously conditioned, will continue to be operated in a responsible manner consistent with CVS Corporate policies and will continue to operate in harmony with surrounding sensitive uses. The sale of alcoholic beverages remains incidental to the drug store use.
- B. The use has been established since 2002 without adversely affecting or conflicting with the adjacent uses and it will continue to be operated in such a manner so as not to detrimentally affect nearby residentially zoned property. This business continues to provide employment for many local residents and it purchases supplies and requires services from outside vendors which contribute to the economic base of the community.
- C. The request to renew the existing CUP with a change from a Type 20 license to a Type 21 license does not involve the introduction of a new liquor outlet into the census tract. In the alternative, this Application will be a simple renewal of an existing CUP and remain a Type 20 license if the request to change to a Type 21 is not granted. This use has been operating in this location in the exact same manner for several years and it will continue to operate consistent with CVS's corporate policies and training regarding the responsible retailing of alcoholic beverages. There is therefore no reason to expect any adverse change. The shelf space allocated to alcoholic beverages is not more than 5% of the total shelf space.
- D. The existing use complements other commercial activities, promotes the exchange of goods and services and provides tax revenue. The use has not adversely affected the welfare of the community because of the sound corporate policies of CVS and the conditions imposed by the County. The premises has been under exemplary management. This business continues to provide employment for many local residents and it purchases supplies and requires services from outside vendors which contribute to the economic base of the community. CVS policies include:
- All CVS associates complete training segments on customer service, personnel management, facility maintenance and operations, responsible retailing of age restricted alcoholic beverage and tobacco products and workplace safety.
 - CVS utilizes multiple digital surveillance cameras at the subject location. Footage is maintained for a minimum of 30 days and the system can be monitored in real time by CVS Management.
 - CVS cash registers have "hard stops" that require associates to check identification and validate customers are of sufficient legal age to purchase alcohol or tobacco before completing the sale.
- E. The existing use has maintained an exterior appearance already approved by the County in 2002 and it is consistent with the neighborhood, as well as, the existing business. There are no changes to the exterior being requested at this time; therefore, CVS will not cause blight, deterioration, or impair property value.

PREMISES ADDRESS:

848 E 858 N Sunset Ave
La Puente 91744 (out)
 LICENSE TYPE: On-sale / Off-sale

1 CRIME REPORTING DISTRICT

____ Jurisdiction unable to provide statistical data.

Reporting District: 1421
 Total number of reporting districts: 374
 Total number of offenses: 56,753
 Average number of offenses per district: 151.74
 120% of average number of offenses: 182.1
 Total offenses in district: 742
 Location is within a high crime reporting district: Yes

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 4073.02 2011
 Population: 3440 / County Ratio _____
 Number of licenses allowed: _____
 Number of existing licenses: _____
 Undue concentration exists: Yes / No. _____

<u>On-sale / Off-sale</u>	
<u>1: 1147</u>	<u>1: 1635</u>
<u>3</u>	<u>3</u>
<u>0</u>	<u>1</u>
<u>NO</u>	<u>NO</u>
<u>NO</u>	<u>Gov. Body</u>
<u>NO</u>	<u>NO</u>

Letter of public convenience or necessity required: Governing Body / Applicant
 Three time publication required: Yes / No _____

1/9/12
 Person Taking Application

Investigator

Supervisor



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



September 13, 2012

Ms. Jeantine Nazar
Los Angeles County Department
of Regional Planning
320 W. Temple Street, #1346
Los Angeles, CA 90012

Dear Ms. Nazar:

In response to your request dated January 10, 2012, I have enclosed the information requested regarding "CVS Pharmacy," which is located at 848 and 858 N. Sunset Avenue, La Puente. The information you requested is for the time period beginning January 10, 2007, through January 10, 2012.

If you have any questions or need further information, please feel free to contact me or Lieutenant Victor Sotelo at (626) 330-3322.

Sincerely,

LEROY D. BACA, SHERIFF

Michael R. Claus

Michael R. Claus, Captain
Industry Station

A Tradition of Service Since 1850

Location: 848 N. Sunset Ave; La Puente

Date Range: 1/10/2007 to 1/10/2012 (5 years)

Crime reports at location: None

Calls-for-Service: 2

- 01/26/10: assist another unit
- 04/20/10: grand theft report taken

Location 858 N. Sunset Ave; La Puente

Date Range: 1/10/2007 to 1/10/2012 (5 years)

Crime reports at location: 30

- 03/06/07: lost property found
- 03/26/07: vehicle burglary
- 04/07/07: grand theft
- 04/22/07: grand theft
- 12/12/07: urinating in public
- 06/05/08: drunk in public
- 06/26/08: petty theft
- 09/28/08: grand theft auto
- 10/10/08: petty theft
- 04/01/09: burglary
- 10/02/09: aggravated assault
- 11/15/09: drug related arrest
- 12/26/09: vehicle burglary
- 01/26/10: petty theft
- 03/03/10: stolen license plate
- 04/01/10: burglary
- 05/08/10: petty theft
- 06/02/10: petty theft
- 07/03/10: aggravated assault
- 01/17/11: petty theft
- 01/27/11: petty theft
- 07/19/11: petty theft
- 07/19/11: robbery
- 10/06/11: petty theft
- 10/06/11: petty theft
- 10/18/11: vehicle impounded
- 10/31/11: robbery
- 11/01/11: petty theft
- 12/11/11: petty theft
- 01/08/12: vehicle impounded

Calls-for-Service: 74

- 01/20/07: business disturbance
- 02/19/07: business disturbance
- 03/06/07: lost property (x2)
- 03/26/07: burglary report
- 03/27/07: suspicious person

- 04/27/07: grand theft report
- 05/30/07: burglary alarm
- 06/08/07: business disturbance
- 07/05/07: burglary alarm
- 07/12/07: suspicious person
- 08/12/07: call for fire
- 09/12/07: call for fire
- 09/19/07: call for fire
- 10/19/07: battery just occurred call
- 10/27/07: suspicious person
- 11/22/07: business disturbance
- 12/05/07: burglary alarm
- 12/07/07: call for fire
- 12/12/07: suspicious person
- 02/16/08: business disturbance
- 02/22/08: see-the-manager call
- 06/08/08: suspicious person
- 06/19/08: burglary alarm
- 06/25/08: illegal peddling
- 06/26/08: petty theft report
- 09/24/08: burglary alarm
- 09/24/08: follow up
- 09/24/08: burglary alarm
- 10/10/08: robbery just occurred
- 12/15/08: fire alarm
- 12/25/08: business disturbance
- 01/13/09: hit-and-run report
- 04/01/09: burglary alarm
- 04/20/09: petty theft just occurred
- 05/10/09: burglary alarm
- 06/26/09: business disturbance
- 08/09/09: patrol check
- 08/24/09: suspicious person
- 08/26/09: grand theft report
- 10/02/09: assault just occurred
- 10/31/09: patrol check
- 11/27/09: business disturbance
- 12/17/09: business disturbance
- 12/26/09: burglary report
- 01/06/10: call for fire
- 01/26/10: assist another unit
- 02/13/10: burglary alarm
- 03/03/10: petty theft report
- 03/24/10: see-the-woman call
- 05/08/10: citizen holding misdemeanor suspect
- 06/02/10: citizen holding misdemeanor suspect
- 07/06/10: call for fire
- 01/20/11: 911 hang-up
- 01/27/11: theft report
- 01/29/11: found missing person

- 02/13/11: suspicious person
- 03/19/11: drunk person
- 04/17/11: petty theft report
- 07/19/11: citizen holding misdemeanor suspect
- 07/19/11: petty theft just occurred
- 07/22/11: lost property
- 08/23/11: burglary report
- 09/26/11: 911 hang up
- 10/06/11: petty theft
- 10/06/11: citizen holding misdemeanor suspect
- 10/17/11: traffic collision
- 10/18/11: petty theft report
- 10/31/11: robbery just occurred
- 11/01/11: citizen holding misdemeanor suspect
- 11/24/11: business disturbance
- 11/24/11: assist another unit
- 12/11/11: attempt-petty theft report
- 01/08/12: business disturbance

**CONDITIONAL USE PERMIT CASE NO. 01-194-(1)
CONDITIONS**

Page 1 of 6

1. This grant authorizes the use of the subject property for the construction, operation and maintenance of a CVS pharmacy and the sale of beer and wine for off-site consumption, subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to Condition Nos. 9 and 17.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with the appropriate fee before the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. **This grant will terminate March 13, 2012 with respect to the sale of alcoholic beverages.** In the event the permittee intends to continue the sale of alcoholic beverages after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six (6) months prior to the expiration date. **No termination date shall apply to this grant with respect to the development and use of the proposed retail pharmacy.**
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$1500.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 10 annual inspections.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
15. In the event such extraneous markings occur on the chain link fence, wooden fence, or retaining walls, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
16. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director of Planning for review and approval, three (3) copies of revised site plans, similar to the Exhibit "A" as presented at the public hearing depicting all changes required in the conditions of approval. The revised Exhibit "A" shall show the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walls, walks, landscaping, height, built and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. These revised plans shall also include a description of the kind of signage and dimensions of signage that will be used on the subject property.
17. The property shall be developed and maintained in substantial conformance with the approved "Exhibit A" plans on file. All revised plot plans must be accompanied by the written authorization of the property owner.
18. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director of Planning for review and approval a development schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made.
19. The permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code.
20. The following conditions are deemed to be conditions of the development program for the project, except as otherwise specified in the development program:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.

- b. No existing building or structure, which under the development program is to be demolished, shall be used.
 - c. No existing building or structure, which under the development program is to be altered, shall be used until such building or structure has been so altered.
 - d. All improvements shall be completed prior to the occupancy of any structures.
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
21. The construction and operation of the proposed use shall be further subject to all of the restrictions set forth below.
22. The permittee shall provide 77 on-site standard parking spaces with four (4) reserved for the handicapped with the appropriate access to the subject pharmacy. The handicapped parking space shall be 14 ft. wide and lined to provide a 9 ft. parking area and a five ft. loading and unloading area and meet the American Disability Act (ADA) requirements.
23. No outside storage is permitted.
24. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control.
25. Landscape planters at least five feet in width shall be provided along Amar Rd. and Sunset Ave. The width of the planters shall be increased to the extent that it does not conflict with the provision of buffer landscaping adjacent to the surrounding single family residences or interfere with vehicular access and circulation as determined by the Director of Planning.
26. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
27. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area.

28. No alcoholic beverages other than beer and wine may be sold.
29. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject restaurant or at any location on the subject property. No self-illuminating advertising for beer or wine shall be located on the exterior of buildings or windows.
30. There shall be no loitering permitted on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood.
31. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises.
32. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of alcoholic beverages outside the subject property. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
33. Signage shall be posted within the beer/wine section of the store notifying the public in both English and the predominant second language in the neighborhood that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle.
34. No beer or wine shall be displayed within five feet of the cash register or the front door.
35. The shelf space devoted to alcoholic beverage sales shall not exceed five (5) percent of the total shelf space within the subject grocery store.
36. The permittee shall not sell domestic beer in containers under one quart in less than six-pack quantities.
37. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
38. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment on site.
39. The licensed premises shall have no other coin-operated amusements, such as small carousel rides or similar riding machines, at any time, with the exception of official State Lottery machines.

**CONDITIONAL USE PERMIT CASE NO. 01-194-(1) .
CONDITIONS**

Page 6 of 6

40. The drive-thru window access on the subject building shall be used for medical prescription purposes only. No alcohol beverage sales are permitted through this drive-thru.
41. The placement of portable signs on sidewalks adjacent to the subject property is prohibited.
42. Temporary signs or banners advertising "specials" shall not be displayed on the exterior walls or fascia of the building.
43. The hours of operation shall be limited to 7:00a.m. to 12:00a.m., seven days a week.
44. The permittee shall, in coordination with and approval of the First Supervisorial District, provide funding in an amount mutually agreed upon between the First Supervisorial District and the permittee for a pedestrian safety program to be implemented by the local school district, which may include the use of a crossing guard during the school's peak student travel hours. Details of this program shall be provided to the Department of Regional Planning for filing purposes.
45. The permittee shall sponsor Health Fairs to educate community residents concerning health issues in coordination with the First Supervisorial District.
46. The permittee shall provide additional community benefits in cooperation with and to the mutual satisfaction of the First Supervisorial District and the permittee.
47. The permittee shall comply with all conditions and recommendations set forth in the attached County of Los Angeles Fire Department letter dated October 24, 2001, or as otherwise required by said department.
48. The permittee shall comply with the NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works.
49. The permittee shall comply with the conditions set forth in the Department of Public Works memos dated October 25, 2001 and February 13, 2002 (including a letter from the Traffic and Lighting Division dated January 22, 2002), or as otherwise required by said department.

Attachments

Fire Department letter dated October 24, 2001

Department of Public Works memo dated October 25, 2001

Department of Public Works memo dated February 13, 2002

LAND USE

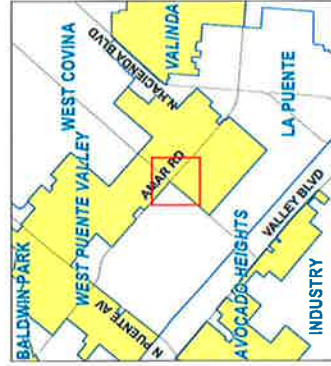
LAND USE 500 FT. RADIUS MAP / SENSITIVE USES - 600 FT. RADIUS

Proj. R2011-01892 (1)
RCUP 2011-00162

Legend

- SINGLE-FAMILY RESIDENCE
- △ OFF-SITE ALCOHOL CONSUMPTION
- SENSITIVE USES
- SINGLE-FAMILY RESIDENCE
- MULTI-FAMILY RESIDENCE
- INSTITUTION (NON-PROFIT)
- COMMERCIAL
- VACANT

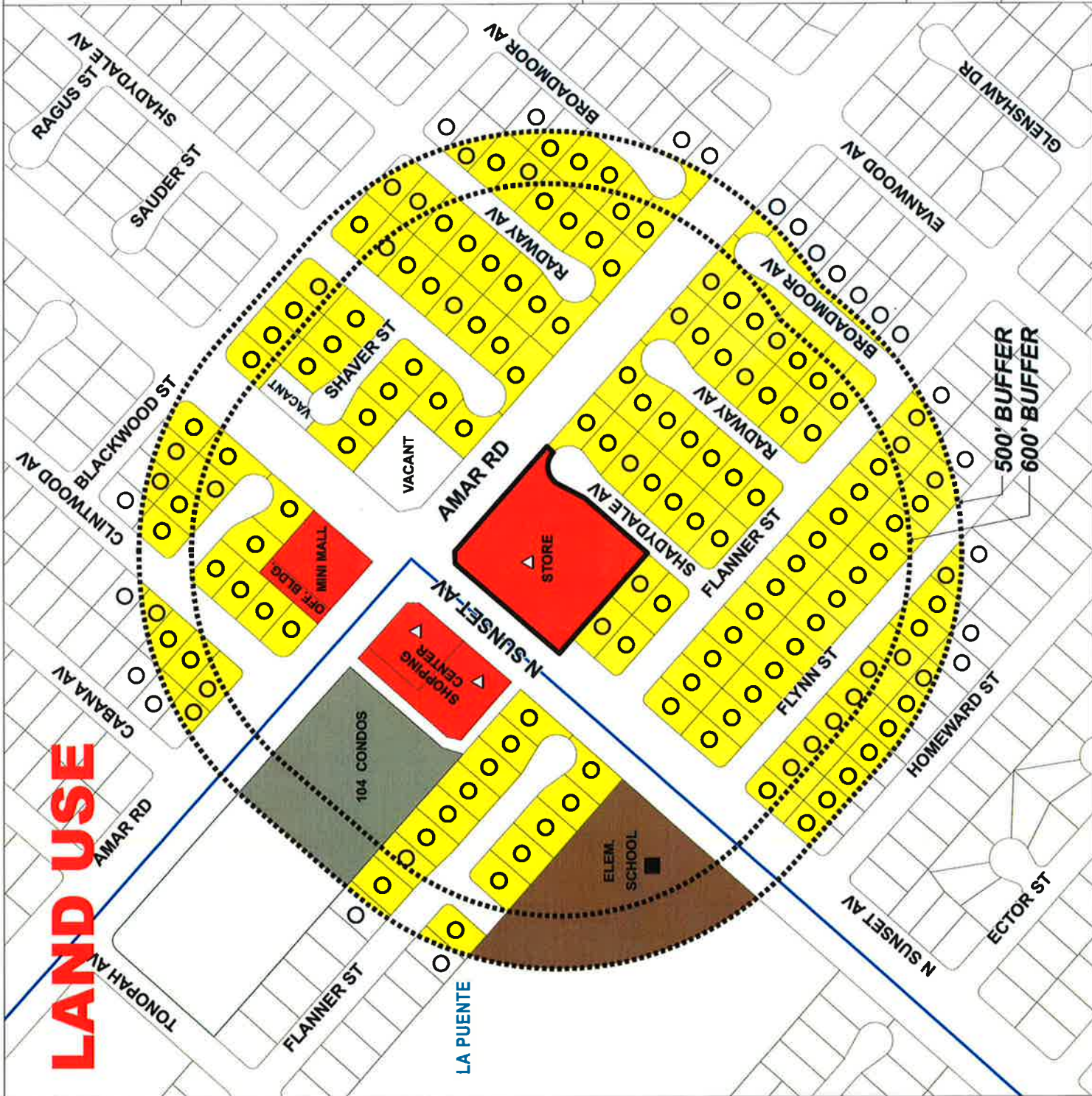
VICINITY MAP



Feet
0 40 80 160 240 320



LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012



ZONING

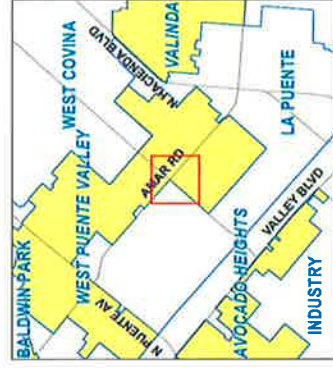
ZONING 500 FOOT RADIUS MAP

Proj. R2011-01892 (1)
RCUP 2011-00162

Legend

- A-1 - LIGHT AGRICULTURE
- C-2 - NEIGHBORHOOD COMMERCIAL
- C-3 - UNLIMITED COMMERCIAL

VICINITY MAP

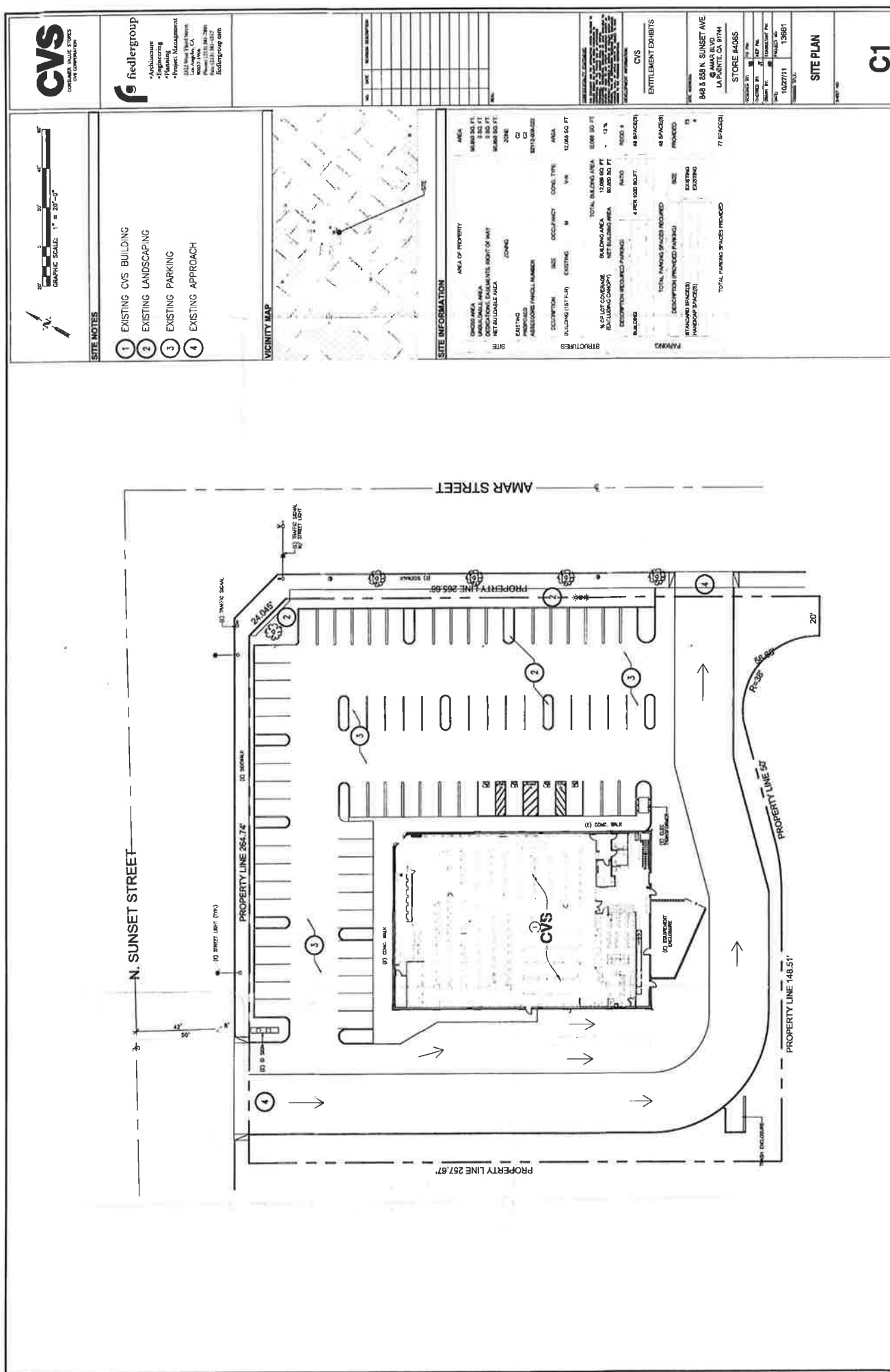


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LOS ANGELES COUNTY
Department of Regional Planning
320 W. Temple St.
Los Angeles, CA 90012







Architect
Engineering
Interior Design
Project Management
222 West Third Street
Los Angeles, CA 90012
Phone: (213) 581-1981
Fax: (213) 581-2257
Fiedlergroup.com

2000 GENERAL REGIONAL
2100 GENERAL REGIONAL
1000 GENERAL REGIONAL
1000 GENERAL REGIONAL

CVS
ENTERTAINMENT EXHIBITS

848 & 858 N. SUNSET AVE
© AMAR B.V.O.
LA PUENTE CA 91744
STORE #4055

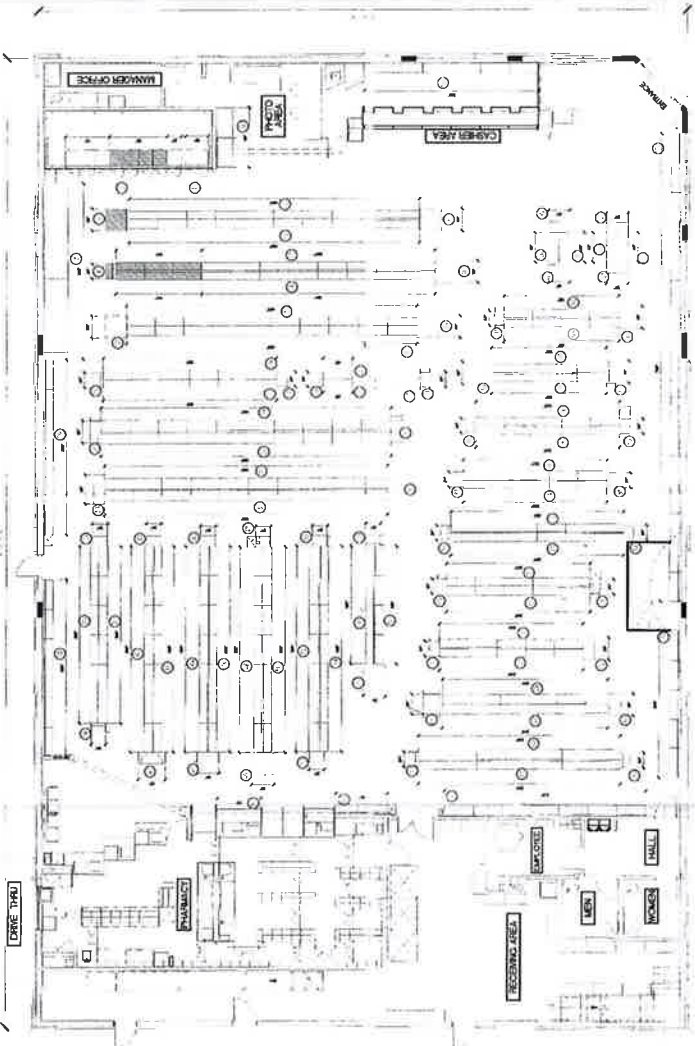
10/27/11 13661
BUILDING
FLOOR PLAN

415 8 4270

A1

SHelf PLAN CALCULATION

KEY NUMBER	SHELVING IN INCHES	TOTAL NUMBER OF SHELVES	NUMBER OF SHELVES DEVOTED TO BEVERAGES	TOTAL LINEAR INCHES OF SHELVES DEVOTED TO BEVERAGES	PERCENTAGE OF SHELF SPACE DEVOTED TO ALCOHOL BEVERAGES
1	36"	4	4	144"	0.34%
2	36"	4	4	144"	0.34%
3	36"	4	4	144"	0.34%
4	36"	4	4	144"	0.34%
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107	36"	4	4	144"	0.34%
108	36"	4	4	144"	0.34%
109	36"	4	4	144"	0.34%
110	36"	4	4	144"	0.34%
TOTAL	11,306"	473	29	82,430"	2.54%



FLOOR PLAN

DEPT OF REGIONAL PLANNING

PROJECT

CS INDEX NO.

ALCOHOL
DISPLAY AREA

PREMISES ADDRESS:

848 E 858 N Sunset

LA Puente 91744 (CA)

LICENSE TYPE: On-Sale / Off-Sale

CRIME REPORTING DISTRICT

Jurisdiction unable to provide statistics

Reporting District: 1421

Total number of reporting districts: 374

Total number of offenses: 56,753

Average number of offenses per district: 151.74

120% of average number of offenses: 182.1

Total offenses in district: 742

Location is within a high crime reporting district: Yes

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 4073.02 2011

Population: 3440 / County Ratio

Number of licenses allowed:

Number of existing licenses:

Undue concentration exists: Yes / No.

Letter of public convenience or necessity required: Applicant

Three time publication required: Yes / No

On-Sale / Off-Sale

1: 1147

1: 1635

3

3

0

1

NO

NO

NO

NO

Gov. Body

Person Taking Application

Investigator

Supervisor

P.002

Over

ABC MONROVIA

SEP-20-2012 09:00



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



October 22, 2012

NOV 13 2012

Jeantine Nazar
Department of Regional Planning
320 West Temple Street
Los Angeles, CA 90012-3225

Dear Ms. Nazar:

I received your letter in which you requested an opinion from the Sheriff's Department regarding the change of a liquor sales permits (from off-site beer and wine to off-site general) at the CVS Pharmacy located at 858 North Sunset Avenue, Valinda. I have reviewed the record of calls for service at this location, and had my staff conduct a site inspection.

The Sheriff's Department does not oppose changing this permit. However, as a condition prior to issuing the permit, we request that the business be required to post their address on the outside of their building so it can be seen from the street, as required by the Los Angeles County Code.

If you have any questions regarding this issue, please contact Lieutenant John Babbitt at (323) 821-1297.

Sincerely,

LEROY D. BACA, SHERIFF

Victor O. Sotelo, Acting Captain
Industry Station

A Tradition of Service Since 1850



Leroy D. Baca, Sheriff

County of Los Angeles
Sheriff's Department Headquarters

*4700 Ramona Boulevard
Monterey Park, California 91754-2169*



September 13, 2012

Ms. Jeantine Nazar
Los Angeles County Department
of Regional Planning
320 W. Temple Street, #1346
Los Angeles, CA 90012

Dear Ms. Nazar:

In response to your request dated January 10, 2012, I have enclosed the information requested regarding "CVS Pharmacy," which is located at 848 and 858 N. Sunset Avenue, La Puente. The information you requested is for the time period beginning January 10, 2007, through January 10, 2012.

If you have any questions or need further information, please feel free to contact me or Lieutenant Victor Sotelo at (626) 330-3322.

Sincerely,

LEROY D. BACA, SHERIFF

Michael R. Claus

Michael R. Claus, Captain
Industry Station

A Tradition of Service Since 1850

Location: 848 N. Sunset Ave, La Puente

Date Range: 1/10/2007 to 1/10/2012 (5 years)

Crime reports at location: None

Calls-for-Service: 2

- 01/26/10: assist another unit
- 04/20/10: grand theft report taken

Location: 858 N. Sunset Ave, La Puente

Date Range: 1/10/2007 to 1/10/2012 (5 years)

Crime reports at location: 30

- 03/06/07: lost property found
- 03/26/07: vehicle burglary
- 04/07/07: grand theft
- 04/22/07: grand theft
- 12/12/07: urinating in public
- 06/05/08: drunk in public
- 06/26/08: petty theft
- 09/28/08: grand theft auto
- 10/10/08: petty theft
- 04/01/09: burglary
- 10/02/09: aggravated assault
- 11/15/09: drug related arrest
- 12/26/09: vehicle burglary
- 01/26/10: petty theft
- 03/03/10: stolen license plate
- 04/01/10: burglary
- 05/08/10: petty theft
- 06/02/10: petty theft
- 07/03/10: aggravated assault
- 01/17/11: petty theft
- 01/27/11: petty theft
- 07/19/11: petty theft
- 07/19/11: robbery
- 10/06/11: petty theft
- 10/06/11: petty theft
- 10/18/11: vehicle impounded
- 10/31/11: robbery
- 11/01/11: petty theft
- 12/11/11: petty theft
- 01/08/12: vehicle impounded

Calls-for-Service: 74

- 01/20/07: business disturbance
- 02/19/07: business disturbance
- 03/06/07: lost property (x2)
- 03/26/07: burglary report
- 03/27/07: suspicious person

- 04/27/07: grand theft report
- 05/30/07: burglary alarm
- 06/08/07: business disturbance
- 07/05/07: burglary alarm
- 07/12/07: suspicious person
- 08/12/07: call for fire
- 09/12/07: call for fire
- 09/19/07: call for fire
- 10/19/07: battery just occurred call
- 10/27/07: suspicious person
- 11/22/07: business disturbance
- 12/05/07: burglary alarm
- 12/07/07: call for fire
- 12/12/07: suspicious person
- 02/16/08: business disturbance
- 02/22/08: see-the-manager call
- 06/08/08: suspicious person
- 06/19/08: burglary alarm
- 06/25/08: illegal peddling
- 06/26/08: petty theft report
- 09/24/08: burglary alarm
- 09/24/08: follow up
- 09/24/08: burglary alarm
- 10/10/08: robbery just occurred
- 12/15/08: fire alarm
- 12/25/08: business disturbance
- 01/13/09: hit-and-run report
- 04/01/09: burglary alarm
- 04/20/09: petty theft just occurred
- 05/10/09: burglary alarm
- 06/26/09: business disturbance
- 08/09/09: patrol check
- 08/24/09: suspicious person
- 08/26/09: grand theft report
- 10/02/09: assault just occurred
- 10/31/09: patrol check
- 11/27/09: business disturbance
- 12/17/09: business disturbance
- 12/26/09: burglary report
- 01/06/10: call for fire
- 01/26/10: assist another unit
- 02/13/10: burglary alarm
- 03/03/10: petty theft report
- 03/24/10: see-the-woman call
- 05/08/10: citizen holding misdemeanor suspect
- 06/02/10: citizen holding misdemeanor suspect
- 07/06/10: call for fire
- 01/20/11: 911 hang-up
- 01/27/11: theft report
- 01/29/11: found missing person

- 02/13/11: suspicious person
- 03/19/11: drunk person
- 04/17/11: petty theft report
- 07/19/11: citizen holding misdemeanor suspect
- 07/19/11: petty theft just occurred
- 07/22/11: lost property
- 08/23/11: burglary report
- 09/26/11: 911 hang up
- 10/06/11: petty theft
- 10/06/11: citizen holding misdemeanor suspect
- 10/17/11: traffic collision
- 10/18/11: petty theft report
- 10/31/11: robbery just occurred
- 11/01/11: citizen holding misdemeanor suspect
- 11/24/11: business disturbance
- 11/24/11: assist another unit
- 12/11/11: attempt-petty theft report
- 01/08/12: business disturbance

CONDITIONAL USE PERMIT CASE NO. 01-194-(1)
CONDITIONS

Page 1 of 6

1. This grant authorizes the use of the subject property for the construction, operation and maintenance of a CVS pharmacy and the sale of beer and wine for off-site consumption, subject to all of the following conditions of approval.
 2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
 3. This grant shall not be effective for any purpose until the permittee and the owner of the property involved (if other than the permittee) have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to Condition Nos. 9 and 17.
 4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
 5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.
6. This grant will expire unless used within two years from the date of approval. A one-year time extension may be requested in writing with the appropriate fee before the expiration date.

CONDITIONAL USE PERMIT CASE NO. 01-194-(1)
CONDITIONS

Page 2 of 6

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. **This grant will terminate March 13, 2012 with respect to the sale of alcoholic beverages.** In the event the permittee intends to continue the sale of alcoholic beverages after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning at least six (6) months prior to the expiration date. **No termination date shall apply to this grant with respect to the development and use of the proposed retail pharmacy.**
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of \$1500.00. The fee shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fee provides for 10 annual inspections.

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance.
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.
11. Upon approval of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided as may be required by said Department.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. All structures shall conform with the requirements of the Division of Building and Safety of the Department of Public Works.

14. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.
15. In the event such extraneous markings occur on the chain link fence, wooden fence, or retaining walls, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
16. Within sixty (60) days of the approval date of this grant, the permittee shall submit to the Director of Planning for review and approval, three (3) copies of revised site plans, similar to the Exhibit "A" as presented at the public hearing depicting all changes required in the conditions of approval. The revised Exhibit "A" shall show the location of all proposed structures, the alteration or demolition of any existing structures, and development features, including grading, yards, walls, walks, landscaping, height, bult and arrangement of buildings and structures, signs, the color and appearance of buildings and structures, and other features as may be needed to make the development attractive, adequately buffered from adjacent more restrictive uses, and in keeping with the character of the surrounding area. These revised plans shall also include a description of the kind of signage and dimensions of signage that will be used on the subject property.
17. The property shall be developed and maintained in substantial conformance with the approved "Exhibit A" plans on file. All revised plot plans must be accompanied by the written authorization of the property owner.
18. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director of Planning for review and approval a development schedule, which shall include all phases of development and indicate the sequence and time period within which the improvements described will be made.
19. The permittee shall remit a \$25.00 processing fee payable to the County of Los Angeles in connection with the filing and posting of a Notice of Determination in compliance with Section 21152 of the Public Resources Code.
20. The following conditions are deemed to be conditions of the development program for the project, except as otherwise specified in the development program:
 - a. No building or structure of any kind except a temporary structure used only in the developing of the property according to the development program shall be built, erected, or moved onto any part of the property.

- b. No existing building or structure, which under the development program is to be demolished, shall be used.
 - c. No existing building or structure, which under the development program is to be altered, shall be used until such building or structure has been so altered.
 - d. All improvements shall be completed prior to the occupancy of any structures.
 - e. Where one or more buildings in the projected development are designated as primary buildings, building permits for structures other than those so designated shall not be issued until the foundations have been constructed for such primary building or buildings.
21. The construction and operation of the proposed use shall be further subject to all of the restrictions set forth below.
22. The permittee shall provide 77 on-site standard parking spaces with four (4) reserved for the handicapped with the appropriate access to the subject pharmacy. The handicapped parking space shall be 14 ft. wide and lined to provide a 9 ft. parking area and a five ft. loading and unloading area and meet the American Disability Act (ADA) requirements.
23. No outside storage is permitted.
24. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas on the premises over which the permittee has control.
25. Landscape planters at least five feet in width shall be provided along Amar Rd. and Sunset Ave. The width of the planters shall be increased to the extent that it does not conflict with the provision of buffer landscaping adjacent to the surrounding single family residences or interfere with vehicular access and circulation as determined by the Director of Planning.
26. All landscaping shall be maintained in a neat, clean, and healthful condition, including proper pruning, weeding, removal of litter, fertilizing and replacement of plants when necessary.
27. Telephone numbers of local law enforcement shall be posted adjacent to the cashier's area.

CONDITIONAL USE PERMIT CASE NO. 01-194-(1) .
CONDITIONS

Page 6 of 6

40. The drive-thru window access on the subject building shall be used for medical prescription purposes only. No alcohol beverage sales are permitted through this drive-thru.
41. The placement of portable signs on sidewalks adjacent to the subject property is prohibited.
42. Temporary signs or banners advertising "specials" shall not be displayed on the exterior walls or fascia of the building.
43. The hours of operation shall be limited to 7:00a.m. to 12:00a.m., seven days a week.
44. The permittee shall, in coordination with and approval of the First Supervisorial District, provide funding in an amount mutually agreed upon between the First Supervisorial District and the permittee for a pedestrian safety program to be implemented by the local school district, which may include the use of a crossing guard during the school's peak student travel hours. Details of this program shall be provided to the Department of Regional Planning for filing purposes.
45. The permittee shall sponsor Health Fairs to educate community residents concerning health issues in coordination with the First Supervisorial District.
46. The permittee shall provide additional community benefits in cooperation with and to the mutual satisfaction of the First Supervisorial District and the permittee.
47. The permittee shall comply with all conditions and recommendations set forth in the attached County of Los Angeles Fire Department letter dated October 24, 2001, or as otherwise required by said department.
48. The permittee shall comply with the NPDES requirements of the California Regional Water Quality Control Board and the Los Angeles County Department of Public Works.
49. The permittee shall comply with the conditions set forth in the Department of Public Works memos dated October 25, 2001 and February 13, 2002 (including a letter from the Traffic and Lighting Division dated January 22, 2002), or as otherwise required by said department.

Attachments

Fire Department letter dated October 24, 2001

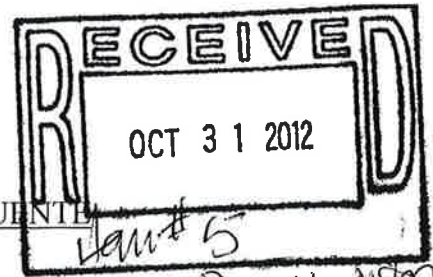
Department of Public Works memo dated October 25, 2001

Department of Public Works memo dated February 13, 2002

**CONDITIONAL USE PERMIT CASE NO. 01-194-(1)
CONDITIONS**

Page 5 of 6

28. No alcoholic beverages other than beer and wine may be sold.
29. The permittee shall not advertise the sale of alcoholic beverages on the exterior walls or windows of the subject restaurant or at any location on the subject property. No self-illuminating advertising for beer or wine shall be located on the exterior of buildings or windows.
30. There shall be no loitering permitted on the premises under the control of the permittee. Signage shall be posted on the premises prohibiting loitering. The signage shall be in English and the predominant second language in the neighborhood.
31. The permittee shall provide adequate lighting above the entrance of the premises. This lighting shall be of sufficient power to illuminate and make easily discernible the appearance and conduct of all persons entering or exiting the premises.
32. The permittee shall instruct all employees in the regulations regarding no loitering and no consumption of alcoholic beverages outside the subject property. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary.
33. Signage shall be posted within the beer/wine section of the store notifying the public in both English and the predominant second language in the neighborhood that it is a violation of the California State Vehicle Code to transport open containers of alcoholic beverages within the passenger compartment of a motor vehicle.
34. No beer or wine shall be displayed within five feet of the cash register or the front door.
35. The shelf space devoted to alcoholic beverage sales shall not exceed five (5) percent of the total shelf space within the subject grocery store.
36. The permittee shall not sell domestic beer in containers under one quart in less than six-pack quantities.
37. There shall be no wine, with the exception of wine coolers, sold in containers of less than 750 milliliters. No miniatures of any type may be sold. Wine coolers shall not be sold in less than four-pack quantities.
38. The permittee shall not install or maintain video games, pool tables, or similar game activities or equipment on site.
39. The licensed premises shall have no other coin-operated amusements, such as small carousel rides or similar riding machines, at any time, with the exception of official State Lottery machines.



PETITION IN SUPPORT OF CVS #4065 - LA PUENTE

I understand that CVS #4065 - La Puente is applying for a CUP Renewal Application with a modification request to add liquor to the product line at 848 & 858 North Sunset Ave., La Puente, CA 91744. The granting of this request will allow the existing CVS Pharmacy drug store to sell liquor in addition to the beer and wine which they are currently approved to sell. By signing this Petition, I am supporting CVS #4065 La Puente's Application for all requests.

Please issue all necessary permits and licenses for this business. Thank you.

Date: 9/26/12 Signature: Joseph R. Rodriguez Printed Name: JOSEPH R. RODRIGUEZ
Address (street, city): 536 SANDSPRING DR. LA PUENTE Phone number: (626) 336 8230

Date: 9/26/12 Signature: Gabriela Rodriguez Printed Name: GABRIELA RODRIGUEZ
La Puente
Address (street, city): 536 Sandspring Dr. Phone number: (626) 336-8230

Date: 9/26/12 Signature: Ma Angeles B Rodriguez Printed Name: Ma Angeles B Rodriguez
Address (street, city): 536 Sandspring Dr. Phone number: 626-336 8230
lapuente.ca

Date: 10/19/12 Signature: Carmen Garcia Printed Name: CARMEN GARCIA
Address (street, city): 902 Tonopah Phone number: 626-918-5017
La Puente CA 91744

Date: 10/19/12 Signature: German Garcia Printed Name: GERMAN GARCIA
Address (street, city): 902 TONOPAH Phone number: 626-918-5017
LA PUENTE CA

Date: 10/19/12 Signature: Cesar Garcia Printed Name: CEsar GARCIA
Address (street, city): 902 TONOPAH AVE Phone number: 626 918 5017

Date: 10/19 Signature: Marcela Fuentes Printed Name: Marcela Fuentes
Address (street, city): 902 Tonopah Ave Phone number: (626) 833-5338
La Puente Ca 91744

PETITION IN SUPPORT OF CVS #4065 - LA PUENTE

I understand that CVS #4065 - La Puente is applying for a CUP Renewal Application with a modification request to add liquor to the product line at 848 & 858 North Sunset Ave., La Puente, CA 91744. The granting of this request will allow the existing CVS Pharmacy drug store to sell liquor in addition to the beer and wine which they are currently approved to sell. By signing this Petition, I am supporting CVS #4065 La Puente's Application for all requests.

Please issue all necessary permits and licenses for this business. Thank you.

Date: 8-15-12 Signature: [Signature] Printed Name: SERVA DO CABRAL

Address (street, city): 419 BASHIN Phone number: 626-330-7161
UNCLINDA CA.

Date: 9/28/12 Signature: [Signature] Printed Name: Angel Monarice

Address (street, city): 911 EUNWODE AN LAHUR Phone number: 626-672-6066

Date: 9/1/12 Signature: [Signature] Printed Name: Javier Padilla

Address (street, city): San Juan Ave Phone number: 626-917-1717

Date: 9/3/12 Signature: [Signature] Printed Name: Jessica Moreno

Address (street, city): 482 Gander St Phone number: (626) 626-5335

Date: 9-7-12 Signature: [Signature] Printed Name: 626-3475044

Address (street, city): 14714 Hyatt St Phone number: 917-8208

Date: 9/7/2012 Signature: Carlos G. Negrete Printed Name: Carlos Garcia Negrete

Address (street, city): 14214 Hyatt St Phone number: 626-917-8208

Date: 9/18/12 Signature: [Signature] Printed Name: Gandel Spooner

Address (street, city): 351 N. Amar Phone number: (323) 286-9081
La Puente

Date: 9-21-12 Signature: Araceli Castro Printed Name: Araceli Castro
Address (street, city): 14621 Homeward St Phone number: 626 893-2767

Date: 9/21/12 Signature: Adrian Perera Printed Name: Adrian Perera
Address (street, city): 853 Rama Dr Phone number: 626 202 6064

Date: 9-28-12 Signature: Christina Leal Printed Name: Christina Leal
Address (street, city): 14720 Flynn St Phone number: 626-409-1255

Date: 09-28 Signature: Eva Reyes Printed Name: Eva Reyes
Address (street, city): 326 Ivanel Ave Phone number: (626) 253-3505

Date: 9-29 Signature: Gerardo Flores Printed Name: Gerardo Flores
Address (street, city): 922 Shadydale Ave Phone number: 626-509-9654

Date: 10-4/12 Signature: Paul Ramirez Printed Name: Paul Ramirez
Address (street, city): 1713 W. Puente, West Covina Phone number: (626) 771-2478

Date: 10/5/12 Signature: Francisco Moreno Printed Name: Francisco Moreno
Address (street, city): 14615 Flynn St La Puente, Ca 91744 Phone number: (626) 827-7168

Date: 10-10-12 Signature: Gregorio Lopez Printed Name: Gregorio Lopez
Address (street, city): 856 Rockway Ave Phone number: 626 644 9489

Date: 10/10/12 Signature: Zim Liang Printed Name: Zim Liang
Address (street, city): 633 Ruby Ct., W. Covina Phone number: (626) 922 7909

Date: 10/10/12 Signature: HAO CH LIANG Printed Name: HAO CH LIANG
Address (street, city): RAMA DRIVE, LA PUENTE Phone number: 626 922 7909

Date: 10-11-12 Signature: Cecilia Jauregui Printed Name: Cecilia Jauregui
Address (street, city): 14570 Bath St La Puente 91744 Phone number: 562-446 371-5003

Date: 11/20/12 Signature: [Signature] Printed Name: Sharon Marone
Address (street, city): 1043 Broadmoor Ave Phone number: (626) 392-3107

Date: 10-20-12 Signature: [Signature] Printed Name: Ryan Clard
Address (street, city): 715 Sunkist Ave La Puente Phone number: (626) 200-5230

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

Address (street, city): _____ Phone number: _____

Date: _____ Signature: _____ Printed Name: _____

NON-APPLICANT

Date NOV 7-2012

Zoning Section
Los Angeles County Board of Supervisors
Room 383, Kenneth Hahn
Hall of Administration
500 West Temple Street
Los Angeles, California 90012

PROJECT

NO./CUP NO.: R2011-01892-(1)

APPLICANT: GOODMAN PROPERTIES INC / GARFIELD BEA.
CVS LLC

LOCATION: 848 AND 858 N. SUNSET AVE

LA Puente CA 91744

Puente Zoned District

Related zoning matters:

CUP(s) or VARIANCE No. _____

Change of Zone Case No. _____

Other _____

This is an appeal on the decision of the Regional Planning Commission in the subject case. This form is to be presented with a check or money order, payable to the Board of Supervisors, with personal identification prior to the appeal deadline at 5:00 p.m. at the above address. (Appeal fees subject to change) Contact the Zoning section of the Board of Supervisors for more information: (213) 974-1426.

This is to appeal: (Check one)

☐ The Denial of this request 817.00*

☒ The Approval of this request 817.00*

*For Subdivisions \$130.00 of this amount is to cover the cost of the hearing of the Board of Supervisors

Briefly, explain the reason for the appeal (attach additional information if necessary):

SEE ATTACHED

x RANZ ED Ballat
(Signed) Appellant
THOMAS MCLEAN
ED BALLAT (AGENT) RB
SUNSET
853 N SUNSET
LA PUENTE CA 91744

853 N. SUNSET AVE.

Address

LA PUENTE, CA 91744

City/Zip

626 918-6113 CELL #

Day Time Telephone Number

E-mail Address

THE APPEAL IS NECESSARY, SO THAT THE OPPOSING SIDE COULD BE HEARD. BECAUSE ON THE MORNING OF OCT 31 THE DAY OF THE MEETING, AFTER BEING ON THE FREEWAY, AND IT WASN'T MOVING I HAD CALLED THE DEPT. OF REGIONAL PLANNING COMMISSION ON 3 SEPERATE OCCASIONS, BEFORE THE START OF THE MEETING, INDICATING THAT DUE TO THE VERY HEAVY TRAFFIC, THAT I WAS GOING TO BE LATE, TELLING THEM WHO I WAS TELLING THEM THAT I HAVE VALUABLE INFORMATION ON THIS MATTER, FROM THE PEOPLE THAT ARE OPPOSING THIS PROJECT THAT IF POSSIBLE TO HOLD UP THE MEETING UNTILL I ARRIVED, WHEN?

I ARRIVED AT 9:50AM, I WAS INFORMED THAT A FAVORABLE DECISION WAS REACHED FOR THE APPLICANT; I VERY STRONGLY FEEL THAT IF THE LOS ANGELES PLANNING COMMISSION HAD THE BEST INTEREST OF THE PEOPLE WHO LIVE IN THIS AREA, ESPECIALLY THE PEOPLE WHO LIVE WAY LESS THAN 100 FT OF THIS PROJECT, AND THE LIQUOR STORE LOCATED DIRECTLY ACROSS THE STREET, AND THE 4 OTHER LIQUOR STORES IN THIS AREA, THEY SHOULD HAVE, AND WOULD HAVE WAITED A REASONABLE AMOUNT OF TIME, SO THAT THE MAIN PEOPLE WHO ARE OPPOSING, THIS COULD BE HEARD. SO THIS SHOWS THAT THE PLANNING COMMISSION IS VERY BIAS, AND WE

THE PEOPLE ARE DEMANDING OUR
RIGHT TO BE HEARD, SO THAT THE
DECISION THAT WAS REACHED, IN FAVOR
OF THIS, WOULD BE OVER TURNED.
INCLUDED IN THIS PACKAGED INFORMA-
TION ALSO ARE PICTURES SHOWING HOW
CLOSE THIS CVS / PHARMACY IS TO THE
HOMES THAT BORDER IT. SIGNED PROTEST
FORMS FROM THE 5 LIQUOR STORES IN
THE AREA. INCLUDING THE ONE DIRECTLY
ACROSS THE STREET AT 853 N. SUNSET, WHICH
BY THE WAY IS NOT 500 FT AWAY, BUT ABOUT
100 FT AWAY, WHICH WILL RESULT IN AN
UNDUE CONCENTRATION OF SIMILAR PREMISES,
AND CAUSE FINICIAL PROBLEMS FOR THE OWNER,
WHO CAN NOT COMPETE WITH THE CVS/PHARMACY

FOR LIKE MOST GIANT CHAIN STORES, CVS/PHARMACY
WILL LOWER THERE LIQUOR PRICES, TO DRAW THE
PEOPLE TO THEIR LOCATION, HURTING THE LIQUOR
STORE DIRECTLY ACROSS THE STREET, AND THE 4
OTHER LIQUOR STORES IN AREA. SO THE PLANNING
COMMISSION, IN THERE WAY, ESPECIALLY
IN THESE BAD FINICAL TIMES, IS TO HAVE THE
MOM + POP STORES IN THIS AREA CLOSE, BECAUSE
THE SUPER GIANT IS TAKING OVER.
ALSO INCLUDED IN THIS IS A PROTEST FORM
SIGNED BY ALMOST ALL THE PROPERTY OWNER
WHICH HAS THIS CVS/PHARMACY AS THEIR BACK YARD
ONLY ONE DIDN'T SIGN. AND LAST A COPY OF
THE BUSINESS SECTION OF THE LOS ANGELES TIMES
DATED FRIDAY OCT 19 2012: "U.S. PROBING
PRESCRIPTION REFILLS AT CVS". SO HOW CAN

THE CVS/PHARMACY BE TRUSTED, IF THE US
GOVERNMENT IS INVESTIGATING THEM FOR FRAUD.

WE THE PEOPLE WHO ARE THE PROPERTY OWNERS THAT IS LESS THAN 100 FT FROM CVS PHARMACY AT 858 N. SUNSET AVE IN LA PUENTE CA, ARE THE FIRST 9 PEOPLE TO SIGN THE PROTEST FORM, WE ARE STRONGLY OPPOSE TO SAID PREMISES, TO ATTAIN A LIQUOR LICENSE. WE TOTALLY FEEL THAT THE REGIONAL PLANNING COMMISSION, IS OUT OF LINE, FOR IF THEY WOULD HAVE CHECKED WITH US THAN IN 2002, WE WOULD HAVE TOLD THEM THAT WE OPPOSE SAID LOCATION, TO SELL BEER AND WINE. NOW IN 2012 THE REGIONAL PLANNING COMMISSION IS AGAIN TELLING YOU THAT IT IS OK FOR SAID LOCATION TO SELL LIQUOR. WELL THE PLANNING COMMISSION WAS WRONG THEN, AND STILL WRONG TODAY.

AND IF NECESSARY WE ARE PREPARING
TO GO TO THE STATE COURT OF APPEALS, AND
THEN TO THE SUPREME COURT. IF THE
REGIONAL PLANNING COMMISSION HAD DONE
THE INVESTIGATING, THEY WOULD HAVE
FOUND OUT THAT WE THE PEOPLE ARE
OPPOSE TO THIS.

**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY

(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE. LAPUENTE, CA.

(Exact address of proposed premises)

on the grounds that:

THE PREMISES OF CVS/PHARMACY
LOCATED AT 858 N. SUNSET, THAT IS APPLIN
FOR THE LIQUOR LICENCE IS LOCATED APPX
282 FEET OF THE SUNSET ELEMENTARY SCHO
PROPERTY, WHICH ALSO HAS AFTER SCHOOL
PROGRAM'S, AND ADULT EDUCATION

☒ Check here if additional sheets attached

I, THOMAS MCLEAN, declare under penalty of perjury:

PRINT (Name of Protestor)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

Thomas McLean

SIGNED AT (City and state)

LA PUENTE CA: 91744

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

13716 E AMAR LA PUENTE, CA

PROTESTANT'S TELEPHONE NUMBER (Optional)

DATE SIGNED

10-30-12

IN THE EVENING.

THERE IS ALREADY A LIQUOR STORE ACROSS THE STREET ON SUNSET AVE, 853 N. THAT LIQUOR STORE WAS THERE LONG BEFORE THE SCHOOL WAS BUILT.

THE PREMISES TO BE LICENCED IS LOCATED WELL WITHIN 100 FT. OF THE RESIDENCE OF 834 and 828 N. SUNSET, FOR THERE IS FAR TOO MANY BEER RUNS (MOSTLY MINORS) FROM THAT LOCATION ALREADY. IF GRANTED A LIQUOR LICENCE, THERE WILL BE DOUBLE TROUBLE, MAYBE TRIPLE.

FOR MOST OF THE BEER RUNNER'S
CROSS THE PROPERTY OF THESE TWO
ADDRESS. I DONT BELIEVE ANOTHER
LIQUOR LICENCE IS NEED, DIRECT ACCROSS
THE STREET FROM ONE ALREADY LICENCED
TO SELL LIQUOR.

IN JUNE 26 2007 THIS AREA
WAS SAID BY THE LA PUENTE PLANNER
COMMISSION TO HAVE A CRIME RATE
THAT EXCEEDS THE COUNTY AVE. BY
47.6%. YES THIS IS STATED IN THE
RESOLUTION NO. 07-14.07 PAGE 2 OF 5
PARAGRAPH 3A. A COPY IS ENCLOSED,

YES IN DEED LICENSING THAT

PAGE

PAGE 12 OF 27

PREMISES TO SELL LIQUOR WOULD
DEFINITELY CREATE A BIG PUBLIC NUISANCE
FOR THERE IS TOO MANY PEOPLE UNDER
21 STEALING BEER FROM THAT LOCATION,
MORE, CRIME IF A LICENSE IS GRANTED.
EVEN AT THE 7-11 ACROSS THE STREET
WHICH IS SUPPOSE TO HAVE A POLICE PRESENCE
BECAUSE IT IS A SUBSTATION, HAS MORE THAN
ITS SHARE OF MINORS STEALING BEER, AND
THAT 7-11 IS SUPPOSE TO BE A SUBSTATION,
SO YOU CAN ONLY IMAGINE WHAT A LICENSE
THAT LOCATION WITHOUT POLICE PRESENCE
WILL BRING. MORE CRIME.

failed on a 2-2 vote. The Commission continued the item to the October 2, 2007 meeting to allow all five Commissioners to consider the matter.

(viii) All legal prerequisites to the adoption of this resolution have occurred.

B. RESOLUTION

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of La Puente as follows:

1. The Planning Commission finds that all of the facts set forth in the Recitals, Part A of this Resolution, are true and correct.

2. All necessary public hearings and opportunities for public testimony and comment have been conducted in compliance with California state law and the Municipal Code of the City of La Puente.

3. Based upon substantial evidence presented to this Commission during the September 4, 2007, public hearing, including public testimony and written and oral staff reports, and the status report regarding Hank's Pizza presented during the October 2, 2007, this Commission finds as follows:

(a) The nature, condition and development of adjacent uses, buildings and structures has been considered, and the proposed sale of beer and wine for off-site consumption will not adversely affect or be materially detrimental to such adjacent uses, buildings or structures or to the public health, safety or general welfare in that the convenience store will include a Sheriff's Substation, made up of an office, with desk, chair and internet connection for the use by deputies during all hours of the day or night. The Sheriff's substation will provide a police presence in the area, which will positively affect the surrounding businesses. Additionally, the convenience store includes a state-of-the-art security system to be monitored by Siemen's Security, and will discourage loitering in and around the subject site. It is anticipated that these factors will reduce crime in the area as opposed to exacerbating the existing situation in the Crime Reporting District 1430, which exceeds the county average by 476%; and

(b) The site for the proposed unclassified use permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, in that the proposed 7-11 convenience store will be occupying two (2) existing vacant tenant spaces, and will not require additional parking to what is currently provided. The existing building, recently constructed was developed in accordance with the development standards outlined in Chapter 10, Zoning Code of the La Puente Municipal Code. 7-11 will not be expanded; and

(c) The site for the proposed unclassified use permit shall be served by highways adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate. The subject site was developed in

THE PROTESTANTS

	PRINTED NAME	ADDRESS	SIGNATURE
1	ERNESTO M ZANCRA	829 SHADYDALE AVE	Ernesto M Zancra
2	Harry Maruffo	833 Shadydale	La Puente
3	Tony Melgosa	8002 Shadydale	Tony Melgosa
4	Chir Gut	856 W. Shadydale	Chir Gut
5	Joe Paredes	14620 Flanner St ca 91744	Joe Paredes
6	Vanessa Carrasco	838 Shadydale AVE La Puente CA 91744	Vanessa Carrasco
7	Jose L. Medina	14614 Flanner St 91744	Jose L. Medina
8	JOSE GONZALEZ	14602 Flanner St.	Jose Gonzalez
9	Joe Medrano	837 N Sunset Ave 91744	Joe Medrano
10			
11			
12	GABRIEL SOTO	11404 AMAR Rd. LA PUENTE CA 91744	Gabriel Soto
13	EFREN GRANILLO	630 N EVANWOOD AVE LA PUENTE 9174	EFREN GRANILLO
14	DAVE SETHIAN	14536 SAUDER ST LA PUENTE CA 91744	Dave Sethian
15	Anthony Romero	13420 E VALLEY BLVD (Arthur) CA 91744	Anthony Romero
16	Modesto Cabral	14429 Beckner St La Puente CA 91744	Modesto Cabral
17	Juan Angel	14426 Berles St La Puente CA 91744	Juan Angel
18	Nahid Nakou	13305 West Benbridge Ave ca 91744	Nahid Nakou
19			
20			

**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

- Please refer to Form ABC-510, Instructions for Protesting an Alcoholic Beverage License Application, before completing and submitting your protest. The ABC-510 can be found at www.abc.ca.gov.
- Please print legibly or type. Incomplete and/or illegible information will cause the protest to be rejected.
- You will be notified by letter regarding a hearing on your protest. You will need to attend the hearing to testify and/or present evidence to support your protest.
- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY
(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE, LA PUENTE CA.
(Exact address or proposed premises)

on the grounds that: I AM THE OWNER OF SUNSET AVE LIQ.
AT 853 N. SUNSET AVE LA PUENTE, CA. DIRECTLY ACC.
THE STREET FROM THIS CVS/PHARMACY. THE MAIN
REASON I PURCHASED THIS LIQUOR STORE, WAS THE FACT
THAT THEY HAD NO LIQUOR LICENSE, WHICH BY THE WAY
IT COST ME OVER 1/2 MILLION DOLLAR TO BUY, AND
BY YOU GIVING THEM A LIQUOR LIENCE, WILL BE A
TOTAL DISASTER, FOR THERE IS NO WAY I WILL
BE ABLE TO SURVIVE. I STRONGLY OPPOSE IT.

☐ Check here if additional sheets attached

I, ABOUDI BALLAT
(PRINT Name of Protestor)

, declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

ABOUDI BALLAT

SIGNED AT (City and State)

LA PUENTE CA

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

853 N. SUNSET AVE LA PUENTE CA 91744

PROTESTANT'S TELEPHONE NUMBER (Optional)

626 918-6113

DATE SIGNED

10-30-12

**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

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- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY
(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE. LAPUENTE CA.
(Exact address of proposed premises)

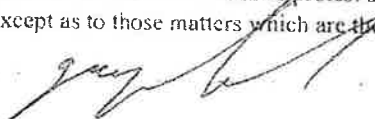
on the grounds that: I JUST PURCHASED THIS LIQUOR ST, ONLY A FEW MONTHS AGO, FOR THE FACT, THEY CVS PHARMACY AT THIS LOCATION DID NOT SELL LIQUOR, GRANTING THEM THE LIQUOR LICENCE WOULD GREAT AFFECT MY BUSINESS, CAUSING A DISASTER FINICIALLY FOR ME, FOR I COULDN'T COMPETE WITH THEIR PRICING - I STRONGLY OPPOSE IT.

☐ Check here if additional sheets attached

I, George Sabbagh, declare under penalty of perjury:
PRINT (Name of Protestor)

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE



(626) 410-3438
PROTESTANT'S TELEPHONE NUMBER (Optional)

SIGNED AT (City and state)

LA Puente CA.
PROTESTANT'S ADDRESS (Street number and name, City, state, zip code)

DATE SIGNED

10-30-12

300 N. SUNSET AVE LA PUENTE, CA 91744

PAGE 12 OF 27

**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY
(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE, LA PUENTE CA.
(Exact address of proposed premises)

on the grounds that: GRANTING THEM A LIQUOR LICENSE WOULD GREATLY CAUSE A FININCIAL BURDON ON THE LIQUOR STORE, THAT I OWN, ORANGE LIQUOR AT 14274 NELSON AVE LA PUENTE, CA. FOR I COULDNT COMPETE WITH THE PRICES ON THE LIQUOR, MAINLY ON 750ML AND 1 LITERS AND 1/2 GALLONS. I AM STRONGLY OPPOSE TO IT.

☐ Check here if additional sheets attached

I, CHAN S. HWANG
(PRINT Name of Protestor)

, declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

SIGNED AT (City and county)

PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

PROTESTANT'S TELEPHONE NUMBER (Optional)

DATE SIGNED

LA PUENTE, CA.
14274 NELSON AVE LA PUENTE CA. 91746

626 338 1115

10-30-12

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**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

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- A copy of your valid protest, including your name and address, will be provided to the applicant as a public record and a right of discovery for a protest hearing.

I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY
(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE, LAPUENTE CA.
(Exact address of proposed premises)

on the grounds that: THE LICENSING OF THIS CVS/PHARMACY WOULD GREATLY JEOPARDIZE THE 5 LIQUOR STORES ALREADY IN THIS AREA, BY CAUSING A GREAT FINANCIAL BURDEN ON US. FOR WE COULD NOT COMPETE WITH THIS GIANT OF A STORE. I AM THE OWNER OF GOLDEN BUG LIQUOR + DELI AT 14305 AMAR RD. LA PUENTE, CA. AND I STRONGLY OPPOSE IT.

1. [Signature]
PRINT (Name of Protestor)

☐ Check here if additional sheets attached

I declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

PROTESTANT'S TELEPHONE NUMBER (Optional)

SIGNED AT (City and state)

626 917-3824
DATE SIGNED

LA PUENTE, CA
PROTESTANT'S ADDRESS (Street number and name, city, state, zip code)

10-30-12

14305 AMAR RD LA PUENTE CA. 91744

**PROTEST AGAINST ALCOHOLIC
BEVERAGE LICENSE APPLICATION**

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I hereby protest the issuance of a license under the Alcoholic Beverage Control Act to:

CVS/PHARMACY
(Name(s) of Applicant(s))

For premises at:

858 N. SUNSET AVE. LA PUENTE CA.
(Exact address of proposed premises)

on the grounds that: GIVING THIS CVS PHARMACY A LIQUOR LICENSE WOULD CAUSE ME A FINICIAL PROBLEM, FOR I AM THE OWNER OF ELLIOTT LIQUOR LOCATED AT 13716 E. AMAR RD LA PUENTE, CA. I WOULD NOT BE ABLE TO COMPETE WITH THEIR PRICING OF LIQUOR. THEY ARE A PHARMACY ~~AND~~ I AM A LIQUOR STORE OWNER, LET THEM SELL MEI AND US LIQUOR. GIVING THEM A LICENSE WOULD CAUSE MAJOR FINICIAL PROBLEMS FOR THE 5 LIQUOR STORE IN THE AREA. KCRW ALSO IS OPPOSS TO IT.

☐ Check here if additional sheets attached

I, CHAN SHENG

(PRINT (Name of Protestor))

, declare under penalty of perjury:

(1) That I am the protestant herein; (2) That I have read the above protest and know the contents thereof; and (3) That the same is true of my own knowledge except as to those matters which are therein stated on information and belief, and as to those matters I believe to be true.

PROTESTANT'S SIGNATURE

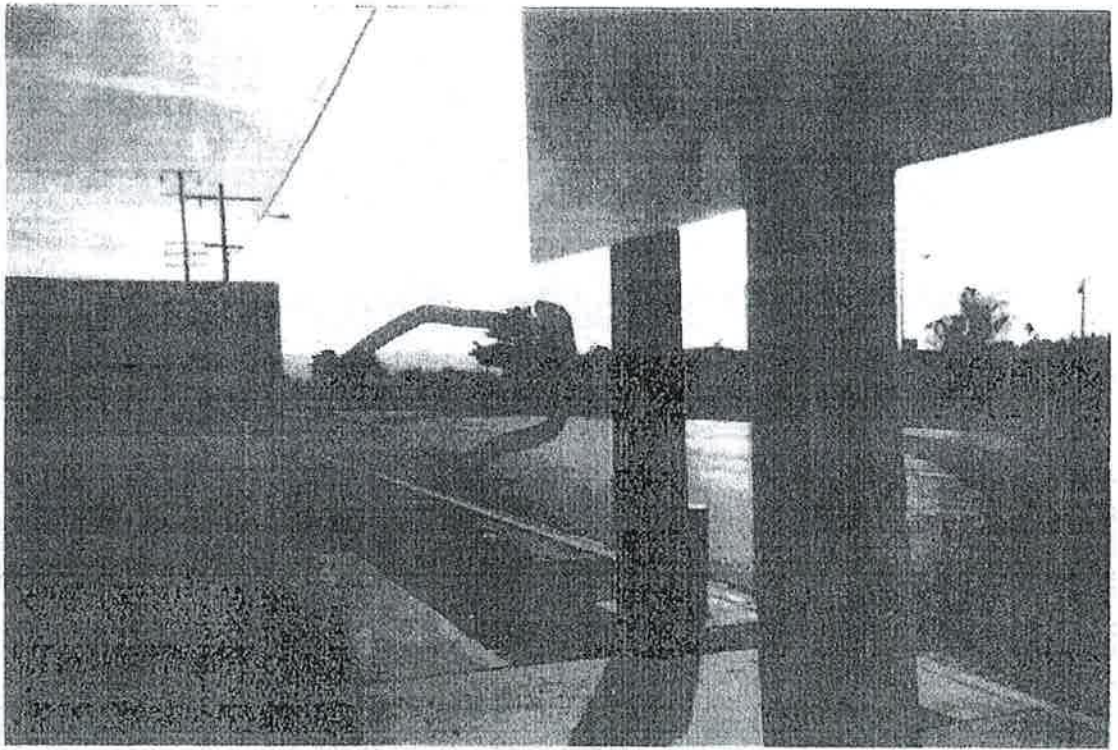
Chan Sheng
SIGNED AT (City and state)

PROTESTANT'S TELEPHONE NUMBER (Optional)

626-918-9916
DATE SIGNED

LA PUENTE CA
PROTESTANT'S ADDRESS (Give number and name, city, state, zip code)

13716 E. AMAR RD LA PUENTE CA.



FROM THIS PICTURE, YOU WILL SEE HOW CLOSE THE CVS PROPERTY IS TO THE PLAYGROUND OF SUNSET ELEMENTARY SCHOOL 282 FT AWAY CVS

WOULD
YOU
WANT
THIS
FOR
YOUR
CHILDREN
OR
GRAND
CHILD



PAGE
217
27

THIS IS PART OF SUNSET ELEMENTARY SCHOOL PLAYGR
TAKE NOTICE OF SIGN AND YOU WANT / IOWA PLACE

ALSO ON PAGE 4 OF 7 PARAGRAPH 13
PUBLIC COMMENTS, IT STATES THAT ONE CALL
WAS RECEIVED, AND THE SAID THAT I INTENDED
TO PARTICIPATE IN THE PUBLIC MEET, AND
NO OTHER INFORMATION WAS AVAILABLE.
AGAIN WRONG,

I CONTINUELY SEE MISLEADING STATEMENTS
OF THE PART OF THE PLANNING COMMISSION, AND
SEE MORE, THAT THE LOS ANGELES COUNTY
PLANNING COMMISSION SHOULD BE INVESTIGATE
FOR THE MANY FALSE STATEMENTS THEY
GAVE, I AM TRULY GOING TO CONTACT THE
LOS ANGELES TIMES AND THE SAN GABRIEL TRIBUNE
CONCERNING, THE GREAT COVER UP.

THEY DEFFENTLY NEED TO BE SPANKED

THANK YOU



Los Angeles County
Department of Regional Planning

Planning for the Challenges Ahead



Richard J. Bruckner
Director

October 31, 2012

Steven Allen Jamieson
426 Culver Blvd.
Playa Del Rey, CA 90293

REGARDING: PROJECT NO. R2011-01892-(1)
CONDITIONAL USE PERMIT NO. 201100162
858 N SUNSET AVENUE (8212-008-022)

The Regional Planning Commission, by its action of **October 31, 2012**, has **APPROVED** the above-referenced project. Enclosed are the Commission's Findings and Conditions of Approval. Please carefully review each condition. This approval is not effective until the appeal period has ended and the required documents and applicable fees are submitted to Regional Planning Department (see enclosed Affidavit of Acceptance Instructions).

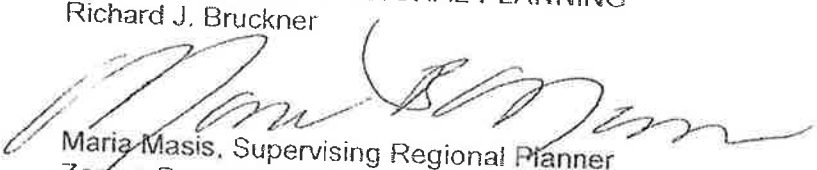
The applicant or any other interested persons may appeal the Regional Planning Commission's decision. The appeal period for this project will end at 5:00 p.m. on November 14, 2012.
Appeals must be delivered in person.

Appeals:

To file an appeal, please contact:
Executive Office of the Board of Supervisors
Room 383, Kenneth Hahn Hall of Administration
500 West Temple Street, Los Angeles, CA 90012
(213) 974-1426

For questions or for additional information, please contact Jeantine Nazar of the Zoning Permits East Section at (213) 974-6435, or by email at jnazar@planning.lacounty.gov. Our office hours are Monday through Thursday, 7:30 a.m. to 5:30 p.m. We are closed on Fridays.

Sincerely,
DEPARTMENT OF REGIONAL PLANNING
Richard J. Bruckner


Maria Masis, Supervising Regional Planner
Zoning Permits East Section

Enclosures: Findings, Conditions of Approval, Affidavit of Acceptance (Permittee's Completion)
c: Board of Supervisors; Zoning Enforcement; California Department of Alcoholic Beverage Control, Sheriff, Testifier, Owner.

MM: JN



Department of Regional Planning
320 West Temple Street
Los Angeles, California 90012

PROJECT NUMBER

R 2011-01892-(1)

HEARING DATE

MARCH 26, 2013

REQUESTED ENTITLEMENTS

CUP 201100162

PROJECT SUMMARY

OWNER / APPLICANT

GOODMAN PROPERTIES INC / GARFIELD BEACH CVS

MAP/EXHIBIT DATE

AUGUST 8, 2012

PROJECT OVERVIEW

To authorize the sale of alcoholic beverages for off-site consumption (beer, wine, distilled spirits) in association with a CVS store in the C-2-DP (Neighborhood Business Development Program) Zone within the Puente Zoned District.

LOCATION

858 N SUNSET AVE, LA PUENTE

ACCESS

N SUNSET AVENUE AND AMAR ROAD

ASSESSORS PARCEL NUMBER(S)

8212-008-022

SITE AREA

1.62 Acres

GENERAL PLAN / LOCAL PLAN

COUNTYWIDE GENERAL PLAN

ZONED DISTRICT

PUENTE

LAND USE DESIGNATION

1-LOW DENSITY RESIDENTIAL

ZONE

C-2-DP (NEIGHBORHOOD BUSINESS DEVELOPMENT PROGRAM)

PROPOSED UNITS

NONE

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT

NONE

ENVIRONMENTAL DETERMINATION (CEQA)

CLASS 1 CATEGORICAL EXEMPTION-EXISTING FACILITIES

KEY ISSUES

- Consistency with the Los Angeles County General Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
 - 22.56.040 (conditional use permit burden of proof requirements)
 - 22.56.195 (alcohol beverage sales burden of proof requirements)

STAFF RECOMMENDATION

Staff recommends approval of Conditional Use Permit Case No R201100162 in the First Supervisorial District

CASE PLANNER:

Jeantine Nazar

PHONE NUMBER:

(213) 974-6435

E-MAIL ADDRESS:

jnazar@planning.lacounty.gov

RPC LAST MEETING ACTION SUMMARY

LAST RPC MEETING DATE October 31, 2012	RPC ACTION October 31, 2012	NEEDED FOR NEXT MEETING
MEMBERS VOTING AYE Four	MEMBERS VOTING NO None	MEMBERS ABSTAINING/ABSENT One

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON: Jeantine Nazar		
RPC HEARING DATE October 31, 2012	RPC ACTION DATE October 31, 2012	RPC RECOMMENDATION Approval
MEMBERS VOTING AYE Four	MEMBERS VOTING NO None	MEMBERS ABSTAINING One
STAFF RECOMMENDATION (PRIOR TO HEARING): Approval		
SPEAKERS* (O) None (F) One	PETITIONS (O) (F) One	LETTERS (O) 0 (F) One

*(O)=Opponents (F)=In Favor

